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## OHIO REPORT MONDAY, AUGUST 7

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## House Activity for Monday, August 7, 2017

### INTRODUCED

**HB 315** ■ **DAY DESIGNATION** (Arndt, S.) To designate October 6 as "S.M.A.R.T. Parent Day." En. 5.257

**HB 316** ■ **PICNIC AREA NAMING** (Arndt, S., Stein, D.) To designate a picnic area in Kelleys Island State Park as the "Henry T. Beatty Memorial Picnic Area." Am. 1546.30

**HB 317** ■ **TAX DEDUCTION** (Young, R.) To authorize, for six years, a personal income tax deduction for a physician based on the number of hours the physician provides uncompensated medical services through a hospital, free clinic, or nongovernmental medical organization. Am. 5747.01 and to enact section 5747.014

### HOUSE SPEAKER'S APPOINTMENTS

Finance: Remove Representative Faber

Finance Subcommittee on State Government and Agency Review: Remove Representative Faber.

Public Utilities: Remove Representative Faber; appoint Representative Stein

Aging and Long Term Care: Appoint Representative Brown.

Armed Services, Veterans Affairs, and Homeland Security: Appoint Representative Brown.

Civil Justice: Remove Representative Sykes; appoint Representative Brown.

State and Local Government: Appoint Representative Brown.

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Power Siting Board: Remove Representative Hagan; appoint Representative Carfagna

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New African Immigrants Commission: Kefa Otiso and Beatrice Miringu

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Ohio Public Works Commission: Dean Ringle


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## **Daily Activity Planner for Tuesday, August 8**

### **Legislative Committees**

No legislative committees scheduled.

### **Agency Calendar**

Board of Building Appeals, ODOT District Three Office, 906 Clark Ave., Ashland, 8:30 a.m.

Third Frontier Commission, Rev1 Ventures, 1275 Kinnear Rd., Columbus, 10 a.m.

House Speaker's Task Force on Alzheimer's and Dementia, Netzey Room, Statehouse, Columbus, 1 p.m.

### **Event Planner**

National Conference of State Legislatures Legislative Summit, Boston

Sen. Bob Peterson (R-Sabina) and Sen. Troy Balderson (R-Zanesville) fundraiser, Mike and Samantha Hartley residence, 403 South Court Street, Circleville, 6 p.m., (\$1,000 Chair | \$500 Sponsor | \$250 Host | \$100 Supporter | \$75 per Couple | \$50 Individual to Peterson for Good Government and Troy Balderson for State Senator)

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**Volume #86, Report #151 -- Monday, August 7, 2017**

**Collective Bargaining Consultant Contract Gets Controlling Board Approval**

Controlling Board members on Monday approved a new contract for a Columbus law firm to do consulting work on collective bargaining issues after lawmakers asked about the job and procurement process for the contract.

Without objection, the board approved the \$480,000 contract between the Department of Administrative Services and Baker Hostetler, LLP. The firm will provide labor relations and collective bargaining consulting and negotiation services.

Sen. Charleta B. Tavares (D-Columbus) asked if the state was developing the internal capacity to handle labor issues and contracts without having to pay outside help.

Jennifer Leymaster, chief financial officer for DAS, said negotiations for large contracts often require outside assistance.

"It is customary for us to seek outside consulting services when doing the negotiation for these major contracts, as I believe is customary for organizations of our size," she said.

Kristen Rankin, deputy director for the DAS Office of Collective Bargaining, said the work fluctuates year-to-year as different contracts come up for renewal.

She said the state has been working with Baker Hostetler since 2014 and the firm has a good understanding of the state's labor relations.

Rep. Hearcel Craig (D-Columbus) asked about the increase in the value of the contract this year, up from about \$300,000 last year.

Ms. Rankin said the state is entering negotiations with its largest union this year, meaning there will be more work ahead.

The board also approved several contracts from the treasurer's office after Sen. Tavares asked for the reasoning behind waiving competitive selection.

Deputy Treasurer Seth Metcalf said all of the items were continuations of ongoing projects. In one case, the office did receive another bid, but it was significantly higher than the bid by the existing contract. That project involves custom-built software designed by the current contractor.

"We suspect that the additional bid was very high because the learning curve for a new provider would have been significant," he said.

The board approved a request for more than \$8.3 million over two years from DAS for a contract for postage funds. Rep. Andy Brenner (R-Powell) asked if other firms, such as Stamps.com, might be able to offer the state better rates.

Ms. Leymaster said firms like Stamps.com might not be able to handle the volume of mail the state sends out, but that DAS would look into it.

The board accepted a transfer of \$2.2 million from the Emergency Management Agency into its emergency fund, repaying the final payment of the money used to reimburse states that sent law enforcement to help at the Republican National Convention in Cleveland last year. The EMA said it has received reimbursement from Cleveland for all of the 18 states that assisted.

A request for \$605,961 from the Department of Developmental Disabilities to improve the fire alarm system at Cambridge Developmental Center was deferred.

Other items approved by the board included: (Agenda)

- \$534,000 - Central State University - for a library structural repair and modernization project.
- \$3.2 million - Clark State Community College - for renovation of Rhodes Hall.
- \$2.4 million - Columbus State Community College - for the Culinary and Hospitality School building project.
- \$226,275 - Department of Health - to purchase cystic fibrosis test kits.
- \$374,400 - Department of Mental Health and Addiction Services - for a contract for forensic psychiatric services at Summit Behavioral Healthcare in Cincinnati.
- \$1.2 million - Department of Developmental Disabilities - to contract with various providers for early intervention hearing services for children.
- \$1.1 million - Department of Natural Resources - for a contract amendment to provide construction administration and material testing at Buckeye Lake Dam.
- \$5.3 million - ODNR - to contract for improvements at a variety of state parks.
- \$749,510 - Department of Rehabilitation and Correction - to replace the roof at the Corrections Training Academy in Orient.
- \$53.6 million - Department of Transportation - for contracts with 52 consulting firms for a variety of services.



- \$212,154 - Bureau of Workers' Compensation - to renew a contract for IT services analyzing business processes.

### **Seitz Plans To Push For Passage Of Death Penalty Exemption Bill This Fall**

The sponsor of a bill to exempt the seriously mentally ill from the death penalty expects the measure to move in the fall.

The legislation (HB 81) would exempt from the death penalty those diagnosed with schizophrenia, schizoaffective disorder, bipolar disorder, major depressive disorder or delusional disorder at the time a capital offense was committed.



Bill Seitz

"I'm raring and ready to go as soon as we get back to try and move this forward in the House," sponsoring Rep. Bill Seitz (R-Cincinnati) said in an interview.

The bill has had three hearings in the House Criminal Justice Committee. Rep. Seitz said he was ready to move the measure prior to lawmakers leaving town for summer vacations, but he was told to hold off.

"We were really ready to go at the end of session back a month ago, but they wanted to keep controversial things off the radar screen as we focused all of our attention on the conference committee process and budget overrides and things like that," he said.

Chairman Sen. Kevin Bacon (R-Minerva Park) expressed uncertainty about the fate of the bill in the Senate Judiciary Committee. (See Gongwer Ohio Report, August 4, 2017)

But Rep. Seitz said he is confident about the bill's prospects in the upper chamber.

"All I can tell Senator Bacon is that when I had the bill the last time in that chamber, there were 31 of 33 senators ready to vote for it. Maybe he hasn't started counting noses yet," he said, adding that the two opponents of the last version of the bill are now serving in the House.

The bill has run into stiff opposition from the Ohio Prosecuting Attorneys Association. Executive Director John Murphy has said that current law already provides those suffering from mental illness with the opportunity to be deemed incompetent to stand trial or mount a not guilty by reasons of insanity defense. (See Gongwer Ohio Report, June 6, 2017)

Despite the opposition, Rep. Seitz does not believe the OPAA will be able to sink the bill.

"It's got an awful lot of support and the only people that have come out against it are the prosecutors and their reasoning doesn't satisfy me," he said. "They were opposed to it the last time on the same basis."

Given the state's recent resumption of the death penalty, Rep. Seitz believes the bill will gain even more traction. (See Gongwer Ohio Report, July 26, 2017)

"I think with all the recent furor over the resumption of executions in Ohio people ought to at least recognize this for progress in terms of narrowing the range of cases in which the death penalty may be imposed," he said.

The legislation is based off of one of several recommendations made by the Ohio Supreme Court's Joint Task Force to Review the Administration of Ohio's Death Penalty.

"The bottom line is this was a central recommendation of the death penalty task force," Rep. Seitz said.

### **Supporters Hope Palliative Care Measure Gains Traction After Recess**

Legislation first offered last year and introduced again in June intends to increase awareness and access to palliative care for patients with serious health conditions.

The bill (HB 286), sponsored by Rep. Sarah LaTourette (R-Chagrin Falls), would establish a state council to oversee palliative care and create programs to raise awareness and utilization of the approach.



Rep. LaTourette

It's a personal issue for the sponsor. Her father, former U.S. Rep. Steve LaTourette, received palliative care before his death last year from pancreatic cancer. (See Gongwer Ohio Report, August 7, 2017)

"I saw the dramatic difference that access to early palliative care had on his life and our lives," Rep. LaTourette said in an interview. "I want everybody in the state to be aware that palliative care is not just hospice care."

Rep. LaTourette first introduced the measure (HB603, 131<sup>st</sup> General Assembly) toward the end of the last General Assembly. It received a hearing before the House Health and Aging Committee. (See Gongwer Ohio Report, October 26, 2016)

The new version of the bill retains almost all of that proposal's components but does not include provisions that would levy fees or fines on hospitals that don't comply, she said. That has eased some concerns from industry groups, she said.

The move toward expanding the reach of palliative care is a priority for advocacy groups such as the American Cancer Society Cancer Action Network, who included the practice on their annual report card for state cancer policies. (See Gongwer Ohio Report, August 4, 2017)

Jeff Stephens, ACS CAN's state government relations director for Ohio, said the group is also working on similar legislation at the federal level.

"It's a form of treatment that's been proven to increase health outcomes at a reduced overall health care cost. It works," he said.

The bill would create an interdisciplinary advisory council at the Department of Health and create a set of criteria to identify patients who are best suited to the care approach.

"We do a pretty OK job of offering it in Ohio but we need to build the pipeline of professionals who are coming into to this treatment and we need to educate patients about what palliative care is," he said.

Mr. Stephens said it's important for providers to consider how different palliative care can look in different parts of the state. While it typically includes the treating doctor, a pharmacist, social workers, spiritual leaders and others who surround the patient with support, that team could look different in rural areas than it would in cities with access to wide varieties of professionals.

"We're all very hopeful there's going to be movement on that this fall," he said.

The proposal hasn't yet been assigned to a committee, but Rep. LaTourette said it will probably go through the House Aging and Long-Term Care Committee.

"My hope is that shortly after we come back for the fall that we start moving quickly," she said.

### **Long-Awaited Federal Study To Protect Great Lakes From Asian Carp Released**

A long-delayed federal plan to prevent Asian carp from entering the Great Lakes was released Monday after months of prodding from congressional delegates in Ohio and other states.

The report from the U.S. Army Corps of Engineers spells out \$275 million in proposals to upgrade the Brandon Road Lock and Dam in Illinois in order to shield the lakes from the invasive species.

Ideas in the report include electric barriers, flushing locks, water jets, and complex noise generation. If approved, the project has an estimated completion date of 2025, according to the report. Critics have argued the plan could impede commercial traffic in the region.

The 488-page report was originally slated for release in February, but was delayed by the Trump Administration. Democrats have contended that the decision to delay the report was political in nature. (See Gongwer Ohio Report, May 1, 2017)

"It is encouraging to see that the U.S. Army Corps' recommendations include serious measures to deal with this invasive species," U.S. Rep. Marcy Kaptur (D-Toledo) said in a statement. "Now that we have real information on costs we can move on and receive input from stakeholders, whose livelihoods depend on us keeping the Asian carp out of the Lakes."

Both she and U.S. Sen. Sherrod Brown (D-Cleveland) earlier this year introduced standalone legislation that would have forced the Trump Administration to make the study public. (See Gongwer Ohio Report, June 23, 2017)

"We are now one step closer to taking action to protect our Great Lakes from Asian carp," Sen. Brown said, "and I look forward to working with Sen. Portman and my other

Great Lakes colleagues to turn this report into concrete actions that will benefit our Lakes."

The discovery of an Asian carp in June just nine miles from Lake Michigan added new urgency to the matter. It also prompted state officials to enter the fray, with Attorney General Mike DeWine writing late last month to the Department of the Army and saying the delay "in the face of this immediate threat is unacceptable." (See Gongwer Ohio Report, June 30, 2017)

There will now be a 45-day public review period for the draft report, ending Sept. 21. Comments will be accepted online, by letter and at public meetings yet to be scheduled.

U.S. Sen. Rob Portman (R-Terrace Park) said the lakes and the local economies they support must be protected.

"The Great Lakes support a \$7 billion fishing industry and Lake Erie contributes more than \$10 billion to Ohio's tourism industry, both of which would be jeopardized if Asian Carp were allowed into the Great Lakes," he said. "It is important that the Corps remain on schedule to finalize the plan by January of 2019, and I look forward to working with stakeholders and the Corps to do just that."

Environmental groups praised the release, with the Alliance for the Great Lakes, the Sierra Club, the Natural Resources Defense Council and several other groups issuing a joint statement.

"We look forward to reviewing the findings in detail and to continuing the conversation on this critical issue with elected officials and concerned citizens during the public comment period," the groups said. "The U.S. Army Corps of Engineers must listen carefully to public input on the study and then move quickly from study to implementation of additional protection measures at the Brandon Road Lock and Dam, a logical choke point in the system."

The Ohio Conservation Federation and its counterparts from Indiana, Michigan, Minnesota and Wisconsin issued a similar joint statement.

"After months of unnecessary delay, we are excited that the potential options for improving defenses against Asian carp at the Brandon Road Lock and Dam will see the light of day," they said. "There is still much work yet to be done in this process. We look forward to working towards securing stronger protections to keep Asian carp out of our Great Lakes."

### **Environmental Groups Question Rover Excuses For Fuel In Wetland Spills**

The company behind the Rover Pipeline project told federal regulators it believes it's possible traces of diesel fuel found in wetland spills earlier this year were planted by "malicious" opponents.

But environmental groups say the company is attempting to divert attention from Rover's actions and that increased security around the spill sites - by both the company and state regulators who were investigating the spills - renders the idea of sabotage "farfetched."

It's the latest back and forth between Rover Pipeline LLC, its parent Energy Transfer Partners, and advocates urging the Federal Energy Regulatory Commission to halt construction of the 700-mile pipeline that has been at the center of controversy for months.

In its most recent filing (PDF) before FERC, the company for the first time agreed with the Ohio Environmental Protection Agency's assessment that diesel fuel was present in millions of gallons of drilling mud spilled into Ohio wetlands at several sites earlier this year. (See Gongwer Ohio Report, June 2, 2017)

But Rover stopped short of accepting the blame, saying it "has no evidence that the diesel was the result of a spill or failed containment" experienced during its horizontal drilling and construction activity.

"This data alone, however, does not demonstrate that diesel fluid (or other petroleum hydrocarbons) entered the slurry as part of the HDD process or that there was a widespread impact," the company wrote.

"Rover theorizes that these diesel concentrations could have been caused by an inadvertent and unreported spill or leak from equipment operating during the clean-up...or it could have been the deliberate or malicious act of individuals opposed to the project," the company continued. "Given the extensive inspection and oversight at this and other sites along the project, it is difficult to imagine that this occurred from an unreported spill or leak."

Cheryl Johncox of the Sierra Club's Beyond Dirty Fuels Campaign rejected that claim. She said in an interview that OEPA testing revealed fuel traces at several different sites.

"It's very unlikely somebody trying to sabotage the project would know where those sampling locations were," she said. "The other thing of note is this occurred on private property...(and) they were very actively patrolling that spill site and keeping people off. It's very unlikely somebody was able to access that area in order to sabotage the project."

Heather Taylor-Miesle, executive director of the Ohio Environmental Council, said the company's claims are the latest demonstration of the company's "lack of respect for Ohioans and our environment."

"Claiming they were sabotaged or framed without any evidence whatsoever is merely another attempt for Rover to deflect blame and avoid owning up to the consequences of their actions," she said. "We are taught in kindergarten to clean up after ourselves, and Rover should remember this important childhood lesson."

Regardless of how the fuel entered the slurry, the company said it is "deeply troubled by any of these potential scenarios and has taken steps to address these possible sources."

Those steps include reiterating to employees and contractors that all construction must adhere to the FERC certificate and other spill prevention and response procedures. Additionally, it will remind workers that secondary containment must be used for equipment working in or near wetlands and bodies of water and prompt notification is required for spills of hazardous materials.

In the event an outside agent introduced fuel to the situation, the company said it has increased security to oversee the Tuscarawas site and has "increased scrutiny of all personnel entering and leaving all HDD sites."

The filing comes one week after Kelcy Warren, CEO of Energy Transfer Partners, which is Rover's parent company, told federal lawmakers he was "baffled" by criticism of the company and allegations of rule violations from regulators and congressional Democrats following the spills.

### **Tavares Bill Aimed At Gender Pay Gap; Schiavoni Targets Charter Overpayments; Renacci, Pillich Announce Endorsements...**

Equal pay and charter school funding are the subjects of hot-button measures recently introduced by two Democratic lawmakers.

Sen. Charleta B. Tavares (D-Columbus) is behind legislation (SB 174) she dubbed the "Fair and Acceptable Income Required Act."

"It is shameful that in this day and age women in Ohio make only 78 cents for every dollar made by a man. Without question, equal work deserves equal pay," she said in a release announcing the bill. "At a time when women are increasingly responsible for the economic security of their families, it is absolutely critical to ensure that they earn a wage commensurate with their work - and on par with a man's."

The bill would require employers to substantiate pay differences, prohibit retaliation against workers who discuss salaries with colleagues and bar wage discrimination based on sexual orientation.

"While the Lilly Ledbetter Fair Pay Act of 2009 improved some laws that govern pay discrimination, more must be done to close the wage gap and increase the economic security of women," Sen. Tavares said. "Fair pay would help close the wage gap and increase women's economic security."

**Charter Overpayments:** A gubernatorial candidate meanwhile is touting a measure to require all money recovered from overpayments to charter schools to be returned to district from which it was deducted. It comes on the heels of the state's plans to claw back funding from the Electronic Classroom of Tomorrow over inflated enrollment data.

Sen. Joe Schiavoni (D-Boardman) said his legislation is expected to be introduced this week.

"Ohio schools are struggling to manage after several years of cuts to their funding. It's only right that the state should return all money taken from these schools in error," he said. "This bill is simple: it creates a uniform rule that all money overpaid to charter schools is sent back to the affected school districts."

**Endorsements Announced:** Other gubernatorial candidates continue to rack up endorsements.

U.S. Rep. Jim Renacci (R-Alliance) announced the backing of Julie Prince in his bid to replace Gov. John Kasich. She directed Ohio operations and grassroots for Ted Cruz's 2016 presidential campaign.

"In the 2018 gubernatorial race, there is one clear choice for conservatives across Ohio, and that choice is Jim Renacci. Time and again Jim has demonstrated his unyielding commitment to the conservative reforms we need, but which entrenched Columbus insiders have failed to deliver," she said. "Jim is not afraid to take on the establishment or the career politicians who continue to pay lip service to conservatism while perpetuating the status quo."

Added Rep. Renacci: "In her position as the Grassroots and Operations Director for Ted Cruz's presidential campaign in Ohio, Julie played an instrumental role in advancing the causes of conservatism and liberty - not just for our state, but for our nation as a whole. I am proud to serve as a voice for conservatives across Ohio in this critically important election, and I am committed to delivering the conservative agenda and reforms we so badly need as our state's next governor."

Meanwhile, former Rep. Connie Pillich announced that she has the support of the Cincinnati Building Trades in her Democratic primary contest.

"Connie Pillich is the proven fighter we need as our next governor. Born in the shadow of a steel mill, Connie knows what we face every day," Cincinnati Building Trades Executive Secretary Fred Lampe said. "She has an unrivaled record of standing up for working families, higher wages, and working to create good jobs. Connie has proven herself as the Democratic frontrunner in the race for governor and the Cincinnati Building Trades is proud to have her back."

Added Ms. Pillich: "I'm proud to be endorsed by the Cincinnati Building Trades because I'll never stop fighting for working families, good jobs, and better wages for workers. With the wind at our backs, our people-powered campaign is building more momentum everyday as we work to take Columbus back from the special interests."

**Husted Appointment:** Secretary of State Jon Husted announced the appointment of Marcella R. Bogenrife to the Madison County Board of Elections.



She was recommended for the post by the Madison County Republican Party Executive Committee.

### **Casino, Racino Revenue Up Big In July**

The state's four casinos showed significant gains in revenue last month compared to June, and the racinos also saw a big uptick in what they took home.

The casinos brought in \$69.9 million in July, up from \$64.1 million the prior month and from \$66.1 million in July 2016, according to revenue reports released Monday by the Casino Control Commission.

Video lottery terminal revenue at the seven racinos totaled \$84.5 million for the first month of the fiscal year, up nearly \$6.5 million from where it was in June, the Ohio Lottery Commission reported.

Hollywood Columbus brought in the most money among casinos at \$18.9 million. That was up from \$17.7 million in June and just a bit above the \$18.6 million it brought in the previous July. The casino was highly dependent on slot machine revenue, with that accounting for \$13.5 million.

Hollywood Toledo also saw a big boost, rising to \$17.6 million from \$16.1 million the prior month. It was up more than \$1 million from \$16.5 million in July 2016. Like its sister casino in Columbus, the Toledo location leaned heavily on slot machines, to the tune of \$14.8 million.

JACK Cleveland raked in \$16.9 million, up from \$15 million in June and \$15.5 million the previous July. The casino was the most balanced between slots and table games, with slots accounting for \$9.1 million and table games \$7.7 million.

JACK Cincinnati brought in \$16.7 million, up from \$15.4 million both in June and in July 2016. Slot machines accounted for \$10.7 million of the casino's take.

**Racinos:** Among the state's racinos, Hard Rock Racino-Northfield Park saw the largest gain from June to July, up \$2.7 million to \$22.3 million in revenue from VLT machines.

Scioto Downs was the second-biggest gainer, up \$1.25 million to \$14.25 million in July.

Hollywood Gaming Dayton Raceway was up \$643,130 to \$8.3 million, while JACK Thistledown was up \$605,814 to \$10.1 million.

Belterra Park's revenue was up \$529,680 over June's at \$7.4 million. Revenue at Miami Valley Gaming was up \$428,657 to \$12.4 million, and Hollywood Gaming Mahoning Valley Race Course gained \$300,155 to \$9.8 million.

## **Gongwer Statehouse Job Market Updated**

Gongwer's Statehouse Job Market has been updated. The update is available on the Gongwer website.

Subscribers interested in posting job openings on Gongwer's employment board can send job descriptions and other information to [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com).

## **Supplemental Agency Calendar Wednesday, August 9**

State Emergency Response Commission, 2855 West Dublin-Granville Rd., Columbus, 1:15 p.m.

## **Supplemental Event Planner**

### **Monday, August 21**

OHROC Lake Erie Boat Cruise and Reception with Speaker Cliff Rosenberger (R-Clarksville), Rep. Steve Arndt (R-Port Clinton), and Rep. Bill Reineke (R-Fremont), Catawba Island Club, 4235 E. Beach Club Road, Port Clinton, 5:30 p.m., (5:30pm Arrive at Catawba Island Club; 6:00pm Depart on Burger Yacht "Gemini"; 8:00pm Reception. Sponsor: \$5,000; Host: \$2,500; Patron: \$1,000; Guest: \$500 to OHROC)

### **Sunday, August 27**

Rep. Theresa Gavarone (R-Bowling Green) shooting fundraiser, Nagle Trucking, 4520 Moline-Martin Road, Walbridge, 1:30 p.m., (Expert: \$250; Sharpshooter: \$100 to Citizens for Gavarone)

### **Wednesday, September 13**

Rep. Mark Romanchuk (R-Mansfield) fundraiser, Little Palace, 240 S. 4th Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Romanchuk for State Rep)

### **Friday, September 15**

Rep. Bob Cupp (R-Lima) golf outing fundraiser, Tamarac Golf Course, 500 N. Stevick Road, Lima, 9 a.m., (9:00am Registration; 10:00am Shotgun Start. Event Sponsor: \$1,000; Tee Sponsor: \$500; Foursome: \$400; Green Sponsor: \$350; Lunch Sponsor: \$250; Individual Golfer: \$125 to Cupp for State Representative Committee)

### **Wednesday, October 11**

Speaker Cliff Rosenberger (R-Clarksville) fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to Committee to Elect Cliff Rosenberger)

### **Wednesday, November 1**

Rep. Craig Riedel (R-Defiance) and Rep. Kristina Roegner (R-Hudson) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens to Elect Craig Riedel and/or Kristina Daley Roegner for Ohio)

### **Wednesday, November 29**

Ohio House Republican Organizing Committee fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to OHROC)

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## Senate Activity for Monday, August 7, 2017

### INTRODUCED

**SB 175** ■ **COMMUNITY SCHOOLS (Schiavoni, J.)** Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of a community school. Am. 3314.52

**SB 176** ■ **MUNICIPAL TAXES (Jordan, K.)** To prohibit municipal corporations from levying an income tax on nonresidents' compensation for personal services or on net profits from a sole proprietorship owned by a nonresident. Am. 709.023, 718.01, 718.02, 718.03, 718.04, 718.05, and 718.16 and to repeal sections 718.011 and 718.50

### SENATE PRESIDENT'S APPOINTMENTS

Southern Ohio Agricultural and Community Development Foundation: Appoint Senator Joe Uecker and Senator Sean O'Brien

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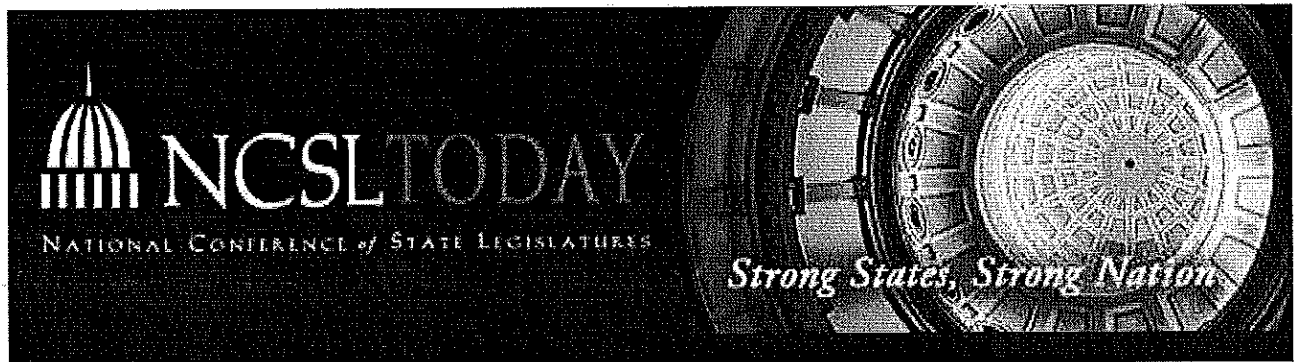
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## TOP NEWS Aug. 16, 2017

### **More employers may be using temps to skirt immigration laws**

*Stateline*

States that have required private employers to use E-Verify have seen especially dramatic growth in the number of temporary workers. Experts say that's no accident.

### **'Bathroom bill' dies again in Texas as session abruptly ends**

*Associated Press*

A Texas "bathroom bill" targeting transgender people died again late Tuesday along with many of Republican Gov. Greg Abbott's summer demands as an already bruising legislative session was derailed by Republican backbiting that could preview an even nastier 2018 primary season.

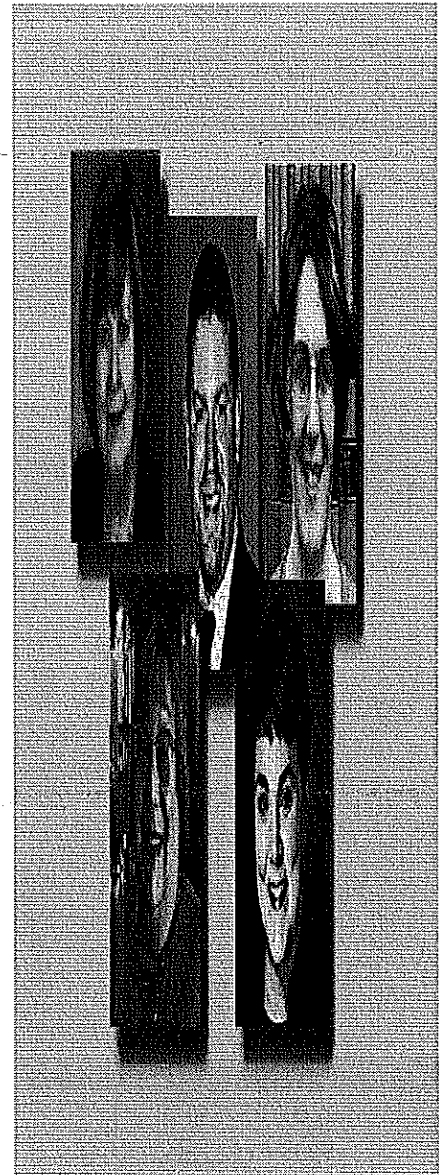
NCSL's 'bathroom bill' legislative tracking resources.

### **Rural Oregonians still face barriers to 'death with dignity'**

*Bend Bulletin*

Oregon's historic right-to-die law is almost elusive to those in rural areas. Of the 1,127 Oregonians who died using Death with Dignity medication between 1998 and 2016, 88 lived east of the Cascade Range, including in Central and Eastern Oregon.

### **'Rape insurance' abortion coverage**



FEATURED

### **State Legislatures magazine: Why I love the legislature**

From helping lawmakers master parliamentary procedure to working

## **becomes Texas law**

*U.S. News & World Report*

Texas will now require women to buy additional insurance policies for abortion coverage, a move activists say will have a "huge impact" on women who "need" the medical procedure.

## **Iowa GOP opens new front against public workers union**

*The Hill*

The Iowa legislature is finalizing rules that would amount to one of the most ambitious assaults on powerful public employee unions in recent memory, potentially stripping thousands of state workers from union rolls in the coming months.

## **Delaware economic development office to be replaced by public-private partnership**

*Wilmington News-Journal*

Gov. John Carney signed a bill Monday that replaces the Delaware Economic Development Office with a public-private partnership partially run by some of the state's largest companies.

with constituents, five legislative staffers describe what drew them to the statehouse.

**Legislative Summit**  
**resources: Bios,**  
**presentations, handouts**  
**Aug. 24 webinar: Young**  
**dual language learners**  
**Aug. 16 webinar: Strategies**  
**to advance personalized**  
**learning**

## **How to fund (and finance) the fixes our infrastructure needs**

Wide agreement exists that America's infrastructure needs a lot of repair. Agreement on how to fund those fixes? Not so wide.



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**OSU Study: \$152M In Lost Property Value Thanks To Algal Blooms...**



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**Event Planner**

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## **Event Planner**

### **Saturday, August 19**

**Ohio Democratic Women's Caucus Luncheon, Hilton Columbus Downtown, 401 N High St., Columbus, 11:30 a.m., (Keynote Speaker is Kathleen Sebelius. For more information contact Rachel Rossi (rachel@ohiodems.org))**

### **Monday, August 21**

**Sen. Matt Huffman (R-Lima) golf outing fundraiser, Urbana Country Club, 4761 US-36, Urbana, (9:00 am Registration | 10:00 am Shotgun Start | Lunch at the turn on the go | 2:30 pm Short Program. \$1,000 Tournament Sponsor; \$600 Eagle Sponsor; \$200 Hole Sponsor; \$100 Golfer)**

**OHROC Lake Erie Boat Cruise and Reception with Speaker Cliff Rosenberger (R-Clarksville), Rep. Steve Arndt (R-Port Clinton), and Rep. Bill Reineke (R-Fremont), Catawba Island Club, 4235 E. Beach Club Road, Port Clinton, 5:30 p.m., (5:30pm Arrive at Catawba Island Club; 6:00pm Depart on Burger Yacht "Gemini"; 8:00pm Reception. Sponsor: \$5,000; Host: \$2,500; Patron: \$1,000; Guest: \$500 to OHROC)**

### **Thursday, August 24**

**Sen. Bob Hackett (R-London) golf outing fundraiser, London Country Club, 1199 Spring Valley Rd., London, 9 a.m., (9:00am Registration | 10:00am Shotgun Start. \$1,000 Ace Sponsor, \$700 Eagle Sponsor, \$500 Cart Sponsorship, \$250 Hole Sponsorship, \$150 Cart Sponsorship, \$100 Tee Sponsorship, \$85 Individual to Hackett for Ohio)**

**Hamilton County GOP State Legislators golf outing fundraiser, Glenview Golf Course, 10965 Springfield Pike, Cincinnati, 10 a.m., (\$1500 Sponsor; \$300 Hole Sponsor; \$175 Golfer)**

### **Sunday, August 27**

**Rep. Theresa Gavarone (R-Bowling Green) shooting fundraiser, Nagle Trucking, 4520 Moline-Martin Road, Walbridge, 1:30 p.m., (Expert: \$250; Sharpshooter: \$100 to Citizens for Gavarone)**

### **Monday, August 28**

**Rep. Scott Ryan (R-Newark) golf outing fundraiser, Moundbuilders Country Club, 125 N. 33rd Street, Newark, 10 a.m., (10:00am Registration; 11:00am Shotgun Start. Event Sponsor: \$2,500; Food and Beverage Sponsor: \$1,000; Tee Sponsor: \$750; Foursome: \$500; Individual Golfer: \$125; Green Sponsor: \$100 to Citizens for Scott Ryan)**

### **Wednesday, August 30**

Rep. Adam Miller (D-Columbus) fundraiser, Condados Downtown, 132 S. High St., Columbus, 5 p.m., (Sponsor: \$500 or Suggested Donation: \$250 to Miller for Ohio)

#### **Thursday, August 31**

Sen. Bill Beagle (R-Tipp City) & Sen. Bob Peterson (R-Sabina) fundraiser, Muirfield Village Country Club, 8715 Memorial Drive, Dublin, 8:30 a.m., (\$500 each committee to Citizens for Bill Beagle and Peterson for Good Government)  
Sen. Gayle Manning (R-N. Ridgeville) fundraiser, Willoway Nursery, 4535 Center Rd. (Route 83), Avon, 5:30 p.m., (\$500 Lilac Sponsor - includes 6 tickets; \$400 Hydrangea Sponsor - includes 4 tickets; \$200 Rose Sponsor - includes 2 tickets; \$125 per Couple | \$75 per Person to Committee to Elect Manning)

#### **Sunday, September 10**

Rep. Marlene Anielski (R-Walton Hills) Pig Roast Clam Bake fundraiser, Heidelberg Distributing Company, 9101 E. Pleasant Valley Road, Independence, 2 p.m., (Sponsor: \$1,000; Host: \$500; Couple: \$140; Individual: \$75; Dozen Extra Clams: \$15 to Friends of Marlene B. Anielski)

#### **Tuesday, September 12**

Democratic gubernatorial debate, Martins Ferry High School, 5000 Ayers Limestone Rd., Martins Ferry  
House Speaker Cliff Rosenberger (R-Clarksville) fundraiser, Athletic Club, Gold Rm., 136 E. Broad St., Columbus, 5 p.m., (Chair: \$5,000; Sponsor: \$2,500; Host: \$1,000; Guest: \$500 to Committee to Elect Cliff Rosenberger)

#### **Wednesday, September 13**

Rep. Jim Hughes (R-Columbus) fundraiser, Plank's Caf~~e~~, 743 Parsons Avenue, Columbus, 5 p.m., (Platinum Level - \$2,500; Gold Level - \$1,500; Silver Level - \$1,000; Bronze - \$500 or \$350 per person to Committee for Jim Hughes)  
Rep. Mark Romanchuk (R-Mansfield) fundraiser, Little Palace, 240 S. 4th Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Romanchuk for State Rep)

#### **Thursday, September 14**

Rep. Kirk Schuring (R-Canton) fundraiser, Pro Football Hall of Fame, 2121 George Halas Dr NW, Canton  
Sen. John Eklund (R-Chardon) golf outing fundraiser, Kirtland Country Club, 39438 Kirtland Road, Willoughby, 10 a.m., (10:00am Brunch, 11:00am Golf. Friends of John Eklund)  
Sen. Kevin Bacon (R-Minerva Park) fundraiser, Cheney residence, 6988 Greensward Road, New Albany, 6 p.m., (\$1,000 Host | \$500 Sponsor | \$250 per Attendee to Citizens for Kevin Bacon)

### **Friday, September 15**

Rep. Bob Cupp (R-Lima) golf outing fundraiser, Tamarac Golf Course, 500 N. Stevick Road, Lima, 9 a.m., (9:00am Registration; 10:00am Shotgun Start. Event Sponsor: \$1,000; Tee Sponsor: \$500; Foursome: \$400; Green Sponsor: \$350; Lunch Sponsor: \$250; Individual Golfer: \$125 to Cupp for State Representative Committee)

### **Monday, September 18**

Sen. Cliff Hite (R-Findlay) golf outing fundraiser, Eagle Rock Country Club, 211 Carpenter Rd., Defiance, (The Committee to Elect Cliff Hite)

### **Tuesday, September 19**

Rep. Tavia Galonski (D-Akron) fundraiser, Westies Gastropub, 940 S. Front Street, Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Friends of Tavia Galonski)

### **Wednesday, September 20**

Rep. Brian Hill (R-Zanesville) and Rep. Al Landis (R-Dover) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Brian D. Hill for State Representative and/or Friends for Allen Landis)

Rep. Andy Thompson (R-Marietta) and Rep. Wes Goodman (R-Cardington) fundraiser, The Keep, 50 W. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Andy Thompson for State Representative and/or Friends of Wes Goodman)

### **Thursday, September 21**

Republican Senate Campaign Committee fundraiser, Basil's on Market, 312 N Patterson Boulevard, Dayton, 5:30 p.m., (\$5,000 Event Chair | \$2,500 Event Co-Chair | \$1,500 Event Sponsor | \$1,000 Event Host | \$500 Individual to RSCC)

### **Monday, September 25**

Rep. Gary Scherer (R-Circleville) golf outing fundraiser, Cooks Creek Golf Club, 16405 U.S. Highway 23, Ashville, 11 a.m., (11:00am Registration and Lunch; 12:00pm Shotgun Start. Event Sponsor: \$1,500; Green Sponsor: \$750; Foursome: \$500; Individual Golfer: \$125; Hole Sponsor: \$100 to Friends of Gary Scherer)  
Sen. Frank LaRose (R-Hudson) golf outing fundraiser, Firestone Country Club, 452 East Warner Road, Akron, 11:30 a.m., (Lunch & Range Time 11:30am. Tee times starting at 1:05pm. \$300 Lunch Only | \$1,000 Lunch and Golf to LaRose for Ohio)

### **Thursday, September 28**

**Sen. President Larry Obhof (R-Medina) shotgun and pig roast fundraiser, Hill'n Dale Club, 3605 Poe Road, Medina, 2 p.m., (2:30-3:00pm - Sign in/Registration/ Meet and greet with Senator Obhof in the Hill'n Dale Lodge; 3:00 pm - Clay Shooting: 5-Stand with Group or Optional Course on your Own. 5:00-6:00pm - Dinner. \$500 Distinguished Expert/Station Sponsor: \$250 Sharp Shooter: \$150 First Class: \$100 Marksman: \$75 Sponsor to Citizens for Obhof)**

**Friday, September 29**

**Sen. Joe Uecker (R-Loveland) Day at the Races fundraiser, Belterra, 6301 Kellogg Rd., Cincinnati, 12:30 p.m., (11:30am Park Opens | 12:30pm Lunch | 1:45pm Live Racing Begins. \$1500 Triple Crown | \$1,000 Champion | \$750 Winner's Circle | \$500 Thoroughbred | \$250 Jockey Club | \$100 per Attendee The Committee to Elect Joe Uecker)**

**Sunday, October 1**

**Sen. Bob Peterson (R-Sabina) fall fest fundraiser, Peterson Farm, 5564 Grassy Branch Rd., Sabina, 4 p.m., (\$25 per Person or \$50 per Family to Peterson for Good Government)**

**Monday, October 2**

**OHROC Chairman's Cup golf outing fundraiser**

**Wednesday, October 4**

**Sen. Troy Balderson (R-Zanesville) & Sen. Stephanie Kunze (R-Hilliard) fundraiser, Muirfield Village Country Club, 8715 Memorial Drive, Dublin, 8:30 a.m., (\$500 each committee to Troy Balderson for State Senate and Citizens for Stephanie Kunze)**

**Thursday, October 5**

**Sen. Louis Terhar (R-Cincinnati) fundraiser, Schilderink residence, 9675 Cunningham Road, Cincinnati, 6 p.m., (\$2,500 Event Sponsor | \$1,000 Sponsor | \$500 Host | \$250 Couple | \$200 Individual to Friends of Lou Terhar)**

**Sunday, October 8**

**Republican gubernatorial candidate forum, Genoa Baptist Church, 7562 Lewis Center Rd., Westerville, 7 p.m., (Sponsored by Citizens for Community Values and Salem Media of Ohio)**

**Wednesday, October 11**

**Rep. Terry Johnson (R-McDermott) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Terry Johnson for State Rep)**

**Speaker Cliff Rosenberger (R-Clarksville) fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to Committee to Elect Cliff Rosenberger)**  
**Sen. Lou Terhar (R-Cincinnati) fundraiser, Fleming residence, 2374 Brixton Road, Columbus, 5:30 p.m., (\$2,500 Event Sponsor | \$1,000 Sponsor | \$500 Host | \$250 Couple | \$200 Individual to Friends of Lou Terhar)**

### **Friday, October 13**

**OSBA Law & Media Conference, Ohio State Bar Association, 1700 Lake Shore Dr., Columbus, 9:30 a.m., (Registration at 8:30 a.m. For more information contact Halle Malcomb, hmalcomb@ohiobar.org)**

### **Tuesday, October 17**

**Republican Senate Campaign Committee pig roast fundraiser, Land Grant Brewery, 424 W. Town St., Columbus, 5 p.m., (\$10,000 Whole Hog Sponsor | \$5,000 Half Hog Sponsor | \$2,500 Loin Sponsor | \$1000 Bacon Sponsor | \$500 per Attendee to RSCC)**

### **Wednesday, October 18**

**Sen. Stephanie Kunze (R-Hilliard) fundraiser, Scioto Country Club, 2196 Riverside Dr., Columbus, 5:30 p.m., (Event Sponsor \$1000, Event Host \$500, \$150 per couple, \$100 per individual to Citizens for Stephanie Kunze)**

### **Thursday, October 19**

**Sen. Bill Beagle (R-Tipp City) shooting fundraiser, Vandalia Range and Armory, 100 Corp Center Drive, Vandalia, 5:30 p.m., (Please make checks payable to Citizens for Bill Beagle)**

### **Wednesday, November 1**

**Rep. Craig Riedel (R-Defiance) and Rep. Kristina Roegner (R-Hudson) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens to Elect Craig Riedel and/or Kristina Daley Roegner for Ohio)**

### **Wednesday, November 29**

**Ohio House Republican Organizing Committee fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to OHROC)**

### **Wednesday, February 28**

**Ohio Cable Telecommunications Association Legislative Luncheon, Renaissance Hotel, 50 N. 3rd St., Columbus, 12 p.m.**

**Monday, June 4**

**Ohio Cable Telecommunications Association Golf Outing, The Lakes, 6740  
Worthington Rd., Westerville**

**Ohio Cable Telecommunications Association Golf Outing, The Lakes, 6740  
Worthington Rd., Westerville**

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**Volume #86, Report #160 -- Friday, August 18, 2017**

**Reducing Regulations Among Legislative Priorities For Fall**

With the biennial budget, veto overrides notwithstanding, in the rearview mirror, Senate President Larry Obhof hopes his chamber will work on legislation designed to make life easier for businesses.

One way the Medina Republican plans to do that is not by adding new laws, but by removing or simplifying old ones.

"We'll focus on getting government red tape and regulation out of the way and hopefully continue to build our economy and build off the improvements we've made the last few years," Sen. Obhof said this week.



Sen. Obhof

One of the priorities for the Senate Republicans leader includes finding bits of regulation that are burdensome for business and aren't working the way they're supposed to. He said he wanted each member of his caucus to find examples of failing regulation and work to fix them, whether by eliminating language or streamlining it.

"We talk a lot on the campaign trail, both parties do, about getting red tape and regulations out of the way," he said. "When you get to work, people start to pass new laws and regulations."

"We ought to all go out and find one example of something that's not working right and get rid of it," he continued. "They don't have to be big things, necessarily, but the more



things like that that we do, you're slowly but surely making it easier for some small business owners."

Even if the change doesn't affect every Ohioan, he said, it could be significant for the few it does affect.

"I think we're going to be pretty serious this fall about trying to get rid of parts of the Ohio Revised Code, scale them back, make them easier to understand, easier to read, removing some of the hurdles government has put in the way of our job creators," he said.

Other priorities for the fall include economic development, the opioid crisis and workforce development, he said.

The Senate will be in session Tuesday, with the agenda expected to focus heavily on budget veto overrides. More override votes are possible in September, Sen. Obhof said.

The chamber will also see some committee action Tuesday, including the Senate Health, Human Services and Medicaid Committee, which will hear a bill (SB 164) to ban abortions based on a Down syndrome diagnosis.

On the House side, the post-budget plan is still in the works, said Brad Miller, a spokesman for Speaker Cliff Rosenberger (R-Clarksville).

"Legislative priorities for the fall are still under consideration and will be the product of conversations and input between the Speaker and members of the caucus," Mr. Miller said in an email.

Some of the House's work could stem from the speaker's task forces, some of which have begun their work, including one on education and poverty (See Gongwer Ohio Report, July 17, 2017) and another on Alzheimer's and dementia (See Gongwer Ohio Report, August 8, 2017).

### **High Court Sets Oral Arguments In Abortion Cases**

The state's highest court will hear two high-profile abortion cases in September, including one that has triggered calls for a justice's recusal.

Both cases stem from abortion-related provisions in the 2014-15 state budget (HB59 130<sup>th</sup> General Assembly).

The first case, set to be heard on Sept. 12, was brought to the high court by the Department of Health, which has defended the constitutionality of restrictions imposed on a Toledo abortion clinic. (Docket)

The case is the result of a 2014 department decision to shutter the city's last abortion clinic, Capital Care Network of Toledo, after it determined a patient transfer agreement it had inked with an Ann Arbor hospital ran afoul of state law because the facility was not "local."

However, both the Lucas County Common Pleas Court and the Sixth District Court of Appeals sided with the clinic, which has remained open.

ODH argues that the decision to shutter the clinic was lawful, the one-subject rule was not violated by placing the requirement in the budget, the clinic did not raise an "undue burden" challenge and the ambulatory requirement is constitutional.

The "undue burden" standard, which was used by the lower courts to strike down the requirement, was created by the U.S. Supreme Court in the case of *Planned Parenthood v. Casey*.

However, ODH argues that the high court should not view the case through that lens because the clinic did not raise the issue.

"The court should vacate the undue burden holding and set the issue aside, as the clinic never raised such a challenge. And as part of not raising it as a legal issue, the clinic also never presented any factual evidence to meet its burden to overcome the law," ODH wrote in a court filing.

"Vacating the holding still allows this clinic or any other abortion clinic to raise an undue burden challenge in a separate case, and indeed, at least two clinics are doing so in a federal case."

Among the clinic's arguments are that the 2013 budget violated the single-subject rule, that the provision amounts to an undue burden and that it is unconstitutional.

"The three transfer agreement provisions were introduced late in the legislative process as riders to the budget bill with little or no opportunity for public debate. At the end of the state budget process Ohio legislators buried controversial anti-abortion provisions in the several thousand pages of a budget bill that was sure to pass," the brief reads.

"The written transfer agreement provisions, which are inherently controversial and of significant constitutional import, were not debated and approved during a fair and open legislative process. HB59 frustrates the single-subject rule's purpose of preventing logrolling and ensuring 'a more orderly and fair legislative process.'"

The case already stirred controversy after Justice Sharon Kennedy spoke at a Greater Toledo Right to Life event in March. That led NARAL Pro-Choice Ohio to unsuccessfully call on her to recuse herself in the case.

This week, Capital Care attorney Jennifer Branch made an official request for Justice Kennedy's recusal in a filing with the court.

"Since this court accepted jurisdiction in this case, Justice Kennedy's impartiality in deciding this case involving an abortion provider has been reasonably questioned by various Ohioans due to her connections to anti-abortion and pro-life organizations," the attorney wrote.

ProgressOhio also filed an ethics complaint against Justice Kennedy that was recently dismissed.

The second case, slated for oral arguments on Sept. 26, was also brought forward by the state after two lower courts found a Cleveland-based clinic had standing to sue over several abortion-related provisions in the budget bill. (Docket)

Along with the transfer agreement provision, Preterm-Cleveland has also taken issue with a ban on public hospitals from entering into those agreements and a requirement that doctors inform pregnant women about a detectable heartbeat.

"Preterm's change of conduct to avoid running afoul of these new requirements constitutes injury-in-fact for standing purposes, traceable to the enactment of HB59," its brief reads. "Its requested relief - an order declaring that HB59 violates the one-subject rule and severing and enjoining the provisions it has shown create disunity - will redress Preterm's injury and cure the identified constitutional defect."

The state, however, argues that the abortion clinic does not have standing to sue because it has not been able to demonstrate that it has been injured by the budget provisions.

"Ohio's Constitution allows courts to hear only justiciable controversies involving parties with standing, so relaxing the rules is unconstitutional. Applying the rules here is straightforward: Preterm must show standing as to each provision it challenges, and it fails on all counts," the state's brief reads.

### **Few Districts Meet Recommendation To Delay Start Of School Day**

Most students heading back to school over the next few weeks won't be reporting to first period any later than in past years, despite district attempts to accommodate research that shows later start times can be beneficial to student health.

Various districts throughout the state report studying later start times in the last few years, but a recent accounting of states where schools have made changes doesn't include Ohio.

Schools in at least 19 states delayed starting bell times for the new academic year, according to a Start School Later report. They include a handful of schools in the surrounding states of Michigan, Pennsylvania, and Indiana.

"Every year we see more and more schools delaying bell times to improve student sleep, health, and learning," Start School Later Executive Director Terra Ziporyn Snider

said. "Not all of them will be starting middle and high schools at 8:30 or later, as health professionals recommend, but they are moving to schedules that are healthier and safer for many more students."

The American Academy of Pediatrics, National PTA, American Medical Association, the Centers for Disease Control and Prevention, the National Association of School Nurses, and the Society of Pediatric Nurses are among the groups backing later start times.

Although Ohio doesn't keep track of when districts are starting the day, Start School Later has determined that about 7:30 a.m. is the most common time for middle and high school students to head to first period. The national average is 7:59 a.m., according to the CDC.

Those times conflict with research that shows students, particularly teens, get their best sleep between 11 p.m. and 8 a.m.

Stacy Simera, a spokeswoman for Start School Later, said students who lack sleep are more likely to be obese, have trouble focusing in school, suffer sports injuries, be involved in car accidents, and become addicted to drugs, among other issues.

The connection between additional sleep for teens and improved health and academic outcomes has caught the attention of district leaders, but resulting changes to bell schedules in Ohio have been few and far between. Districts often point to increased costs as the reason for maintaining the status quo.

Olentangy Local School District, which is the seventh largest district the state, is among those that studied the possibility of later start times over the last few years, but chose not to move forward with them. It announced over the summer that changes would require purchasing an additional 141 school buses at a cost of \$12.5 million and adding \$7.8 million in annual operating costs.

Like others who've looked into making moves, the district also determined that parents of elementary students don't support earlier start times for their students so that later middle and high school times can be accommodated.

Bus schedules and concerns about child care "are two of the principal challenges in terms of trying to move the start times," said Tom Ash, director of governmental relations for the Buckeye Association of School Administrators.

"You have districts that, in order to economize (busing), have what are known as double, triple and even quadruple runs, so they might even be serving two, three or four schools with kids of different ages," he said. "So that becomes an issue."

Mr. Ash said districts aren't dismissing the research on earlier start times, they're just simply running into roadblocks to implement them.

There are districts that have modified start times without increased costs, though, Ms. Simera contended. If there are costs, she said that they shouldn't be a deal breaker.

"Not only can every school afford healthy start times, schools can no longer afford not to. As an Ohio taxpayer and mental health clinician, it concerns me that we are ignoring such low-hanging fruit in fighting two Ohio-specific epidemics: obesity and substance abuse - both of which are correlated with chronic deficient sleep," she said.

"While we know there are many factors involved in obesity and substance abuse, we should certainly address one of the known factors that we can greatly influence - namely healthy sleep."

According to Start School Later, districts that have pushed back start times without incurring additional costs include Hudson, Dublin, Kenston, and Perrysburg schools. Westlake and Parma schools also pushed back start times when they eliminated busing for high school students.

### **Ohio Unemployment Rate Moves Up To 5.2%**

The biggest increases occurred in leisure and hospitality (+5,200), local government (+3,900) and financial activities (+1,200) sectors. July's biggest losses were in goods-producing industries (-2,700) and business services (-2,400).

Over the last 12 months, Ohio added 47,500 jobs, led by private service providers (37,700) and construction (5,900), ODJFS reported. The larger drops occurred in trade, transportation, and utilities (-4,900) and durable goods manufacturing (-1,800).

Rea S. Hederman Jr., executive vice president at the Buckeye Institute, said that along with the labor market dip, Ohioans stopped looking for work as labor force participation fell to national levels at 62.9%.

"In addition, private sector job opportunities continued the stream of bad news, with 2,500 fewer private sector jobs in July compared to June," he said.

"Overall, the Ohio July jobs report is a sober one," Mr. Hederman said. "While one month of data can be a statistical anomaly, policymakers should begin considering measures to increase economic opportunities in Ohio's private sector."

Policy Matters Ohio observed that without the growth in public sector jobs, the state would have lost positions last month. The group reiterated its criticisms of GOP tax policies in recent years.

"State tax giveaways to corporations and the wealthy have not produced the promised job growth. Instead, we have lost the revenue we need to invest in policies like need-based college financial aid that help build the middle class," PMO researcher Hannah Halbert said. "Federal policymakers would be well-served by studying Ohio's

performance before implementing tax changes that overwhelmingly benefit the wealthiest in the nation."

### **Roegner Announces Senate Bid; Buckeye Institute Opines On Potential Veto Overrides...**

Rep. Kristina Roegner announced her intent to run for the Senate seat currently occupied by term-limited Sen. Frank LaRose.

The Hudson Republican, who is term limited in the House, said her goals if elected to the Senate would be much the same as her priorities in her current seat representing the 37<sup>th</sup> House District.

"It would absolutely be the same as it's been in the House," she said. "Continue to help set a stage that's inviting to businesses in Ohio and that includes regulatory reform which I've done a lot of in individual industries."

Making the tax climate more competitive with other states by lowering taxes and strengthening the education system would also be priorities, the representative said. So too would be legislation like her pending cosmetology bill (HB 189) which she said would "make it easier and smoother for people to get jobs and not jump through so many hurdles in government."

"I'm going to continue the work we've started and continue that onto the Senate," she said. "I want to make sure government doesn't waste taxpayer dollars. If we can spend taxpayer dollars smarter and get more for it that's what we need to do."

The 27<sup>th</sup> Senate District encompasses all of Wayne County and parts of Summit and Stark. Other incumbent House members whose districts align with that district include term-limited Rep. Marilyn Slaby and freshman Rep. Scott Wiggam.

Rep. Roegner reported receiving \$78,000 since January in her recent semiannual report, leaving her with about \$78,700 in cash on hand.

**Veto Overrides:** The Buckeye Institute is weighing in on several outstanding budget veto overrides the Senate may take up next week.

Senators are expected to return Tuesday to consider some of the 11 overrides the House approved in July. How many overrides and which specifically the chamber will choose to take up isn't clear. (See Gongwer Ohio Report, August 16, 2017)

Among overrides the Institute is urging senators to approve are the governor's vetoes of the Healthy Ohio waiver and of language creating legislative oversight of Medicaid spending increases.

But the group is asking senators to let stand the governor's veto on the Medicaid managed care sales tax replacement plan.

"We agree with Gov. Kasich's veto of the proposed replacement for local Medicaid sales tax revenues and we were disappointed that the Ohio House overrode the governor's veto," said Greg Lawson, an institute research fellow. "This proposal is a tax on insurance plans and as with most government taxes, it is highly unlikely that this new tax will be 'temporary.' It is time for local governments to go to their voters and convince them of the need to raise local taxes for local services rather than blaming Columbus for their inability to spend wisely."

**Issue 2:** Proponents of the controversial Issue 2 - also known as the "Drug Price Relief Act" - praised ballot language approved by the Ballot Board Thursday.

Yes on Issue 2 and its counterpart, Ohioans Against the Deceptive Rx Ballot Issue, negotiated compromise ballot language that the board then signed off on with little discussion. (See Gongwer Ohio Report, August 17, 2017)

Both sides said the language presented an accurate description of the November ballot issue, which would prohibit the state from purchasing prescription drugs for prices beyond what the U.S. Department of Veterans Affairs pays.

"Voters in Ohio are well-informed, smart and angry at the greedy drug companies that have been price-gouging the sick and suffering, and putting profits before patients," said Dennis Willard, a spokesman for the proponents. "The language is simple and straightforward just like our plan to lower drug prices for 4 million Ohioans and save taxpayers \$400 million a year."

Opponents claim the statute, if adopted by voters, would actually drive the cost of drugs higher.

### **OSU Study: \$152M In Lost Property Value Thanks To Algal Blooms...**

Harmful algal blooms in Ohio have cost homeowners \$152 million in lost property value over the last six years, according to researchers.

That figure comes from a new Ohio State University study that examined the financial impacts of blooms in Buckeye Lake and Grand Lake St. Marys. A second study quantified the financial impact of blooms to sport fishing revenue generated by Lake Erie.

OSU bills the reports, published respectively in *Ecological Economics* and the *Journal of Environmental Management* as the first of their kind to put a dollar figure on the impact of algae. Researchers said they hope the studies will equip lawmakers with new information to create adequate algae prevention and cleanup resources.

"Our biggest takeaway is that efforts to prevent and mitigate algal blooms have real, tangible benefits for Ohioans, including property values," said Allen Klaiber, associate professor of agricultural, environmental and development economics at OSU.

The first study examines property values in the two interior lakes, finding that total values fell \$152 million from 2009-2015. Sales prices for homes within one-third of a mile from the lake fell 11-17% while adjacent homes saw prices dropping more than 22%, the report found.

In Buckeye Lake the drop was more severe, with the loss of \$101 million in home sales over six years. Grand Lake St. Marys saw a \$51 million loss.

Regarding Lake Erie, which fuels a \$1.7 billion tourism industry, simulations showed a "moderate" bloom would result in a 10-13% decrease in fishing license sales within 12 miles of the lake.

A severe bloom, akin to what occurred in 2011, would lead to 3,600 fewer licenses sold and as much as \$5.6 million in lost revenue in a single summer, the researchers determined.

**Governor Appointment Reaction:** The Ohio Environmental Council praised Gov. John Kasich's recent appointment of Sarah Spence to the Public Benefits Advisory Board. Ms. Spence is OEC's director of government affairs and was appointed this week.

"The board works with the director of the development services agency to ensure energy services are provided to low-income consumers in Ohio in an affordable manner," said Aryeh Alex, the OEC's vice president of public affairs. "Sarah is the right person for the job, and will add a strong environmental voice to the governor's administration."

**Rover:** A cease-and-desist order from the government of West Virginia was recently lifted, clearing the Rover Pipeline project to continue. That's over the objections of environmental groups who argue the project is harming the environment.

Meanwhile, a new *Bloomberg* analysis determined that the Rover project has set a new record for environmental violations. The publication determined the project, since its approval in February, has racked up more violations than any other major interstate natural gas pipeline built in the last two years.

Rover filings showed 104 negative inspection reports, according to *Bloomberg*. The next closest was the Williams' Virginia Southside Expansion which reported 26 violations.

To be fair, the 710-mile Rover is a longer pipeline than other projects included in the analysis. Still, the next longest - the 515-mile Enbridge Sabal Trail - reported 18 violations.

Energy Transfer Partners, the company behind the project, said it is working with regulatory agencies at all levels to meet safety and environmental regulations. But



friction continues between the company, opponents and regulatory agencies in Ohio and beyond. (See Gongwer Ohio Report, August 7, 2017)

### **Report Links STEM Skills, Quality Pre-K; President Approves GI Bill Expansion...**

Business and military leaders are calling on state leaders to focus on early childhood education to ensure students are better prepared to enter the future workforce.

They joined Council for Strong America this week to release a new report highlighting the correlation between high-quality Pre-K and STEM skills.

The analysis also details projections for STEM workforce growth - an area that military and tech business stakeholders said during a Dayton press conference is a major concern. Health and computer technology industries are expected to grow by as much as 37% nationwide in the coming years, they said.

Currently, 65% of eighth graders aren't proficient in math and 60% aren't proficient in science, the report shows. About one-third of college students, meanwhile, require remediation in math or English.

"As a result, employers - both in the private sector and the military - are struggling to find the STEM skilled workforce they need," the authors of the report wrote. "That is why business and military leaders in Ohio are calling on policymakers to invest more in high-quality early education where STEM skills take root."

According to the report, research shows that individuals with early exposure to math have improved abilities in the subject area later on and that early learning supports cognitive abilities as well as social and emotional skills that are beneficial in STEM career fields.

"The young people we will seek to recruit for the military, postsecondary education, and private sector jobs in less than 15 years should be entering pre-K today," former Adjutant General Deborah Ashenhurst said in a statement. "A greater investment in high-quality pre-K will have lasting impact for our children, for Ohio, and for our nation."

**GI Bill:** The president this week signed bipartisan legislation to expand education opportunities to post-9/11 veterans and restore GI Bill benefits to those who attended now-defunct technical colleges.

The bill removes a 15-year time limit on the benefits, allowing veterans and their dependents to use them for life. Among other things, it also extends eligibility for reservists, provides full benefits for Purple Heart recipients and increases GI Bill payments by \$2,300 per year for veterans with less than 12 months of active service.

U.S. Sen. Sherrod Brown (D-Cleveland), who helped draft the measure, applauded its enactment.

In particular, he pushed for provisions that restore benefits to veterans who attended shuttered career technical colleges and alert veterans to schools offering priority enrollment

"Ohio veterans deserve better than to have the rug pulled out from under them by for-profit colleges," Sen. Brown said in a statement. "This bill is an important step towards rectifying the fraudulent practices of these schools and restoring and expanding the GI benefits our veterans have earned."

The measure also expands eligibility for the Department of Veterans Affairs' Yellow Ribbon Program to spouses and children of service members who died in combat. The program that helps students avoid out-of-pocket college costs above their GI Bill benefits is currently available only to veterans and spouses and children of service members.

**Insurance:** An insurance checklist for college students and their parents is now available from the Department of Insurance.

The checklist details insurance options for illness and injury, dental and eye care, personal protections and liability, renters and vehicles.

"Life away from home is a great opportunity for young adults to learn and grow, but it also presents considerations and challenges," ODI Director Jillian Froment said. "It is important that students and parents conduct an insurance review and consider including an insurance agent in the process."

**Survey:** The Ohio Department of Education is seeking input on proposed updates to Ohio's model curriculum for English and math in grades K-12. An online survey will be open through Sept. 13.

The model curriculum, which is set to go before the State Board of Education for approval this fall, will serve as a guide for teachers to help them better understand the knowledge and skills required under Ohio's Learning Standards - the basis for state tests.

#### **Agency Briefs: RFP Issued For Marijuana Monitoring System; AG; SOS; EPA; BWC; MHAS; DNR**

The state's Medical Marijuana Control Program is seeking a contractor for a system to monitor video surveillance at growers, processors and dispensaries.

The Department of Commerce issued the request for proposals this week as the program's rules, which cleared the Joint Committee on Agency Rule Review at the end of July, were officially filed.

The rules go into effect Sept. 8. They cleared JCARR after a nearly yearlong development process that began following the program's enabling legislation, which went into effect last fall. (See Gongwer Ohio Report, July 31, 2017)

The RFP for the video management system requires one that can accept feeds from any camera operator and allow the state to see inside facilities at any time.

"Given an initial camera population of over 1,000 cameras across an Ohio medical marijuana entity facility population of 100+ facilities, the State requires an efficient means of monitoring camera operational status as well as an efficient path for identifying a particular camera at a particular facility for real-time camera viewing," the state said in its description.

**Attorney General:** Mike DeWine and attorneys general from 49 other states and territories urged Congress to amend the Communications Decency Act of 1996 to clarify that states and local governments can investigate and prosecute facilitators of child sex trafficking wherever they operate, including online.

"The proposed amended language to the Communications Decency Act will help to ensure that citizens and children are effectively protected throughout the entire country, in all courts," Attorney General DeWine said in a statement. "The intention of the Communications Decency Act is to protect children from indecent material online. It was never intended to place facilitators of child sex trafficking outside the reach of law enforcement."

Courts have interpreted the current language to allow only federal authorities to take action against companies that facilitate sex trafficking. The AGs urged in their letter for the law to be clarified.

**Secretary of State:** Jon Husted announced that all filings required to start or maintain a business in Ohio can now be submitted online. Owners can also submit all Uniform Commercial Code statements and certified search requests through the web, he said.

"Since day one, our office has committed itself to working on behalf of job creators and entrepreneurs to make it easier to start and maintain a business in Ohio," Secretary Husted said in a statement. "By improving the way our office does business, we are helping companies cut costs, save time, and reduce administrative burden so they can focus on providing quality services and products, as well as create jobs."

The secretary's office also announced that 8,800 new entities filed to do business in the state in July, up 1,279 compared to the previous July. A total of 71,979 entities have filed in Ohio this year.

**Ohio EPA:** The agency will hold a public hearing next week to receive comments on proposed water quality standards, including standards covering pesticides, dredged material and E. coli.

The hearing will begin at 10:30 a.m., Wednesday, in the Ohio EPA Conference Center at 50 West Town Street in Columbus.

Written comments can be sent to Rules Coordinator, Ohio EPA Division of Surface Water, P.O. Box 1049, Columbus, Ohio 43216-1049, or emailed to [dsw\\_rulecomments@epa.ohio.gov](mailto:dsw_rulecomments@epa.ohio.gov), through Aug. 23.

**Workers' Compensation:** The bureau announced that seven employers and injured workers who attempted to defraud the agency were convicted in July. The BWC's special investigations department has totaled 90 convictions so far this year.

"Workers' compensation fraud raises the cost of the system for everyone involved," said SID Director Jim Wernecke. "I hope these latest convictions serve as a reminder to those attempting to steal from BWC: We have investigators all over the state. We will find you, bring you to justice and make you repay the funds you illicitly acquired."

**Mental Health and Addiction Services:** The department said it is conducting a needs assessment with treatment providers as part of activities connected to the federal 21<sup>st</sup> Century CURES Act. The department is collecting information on what providers are doing and what needs they have for treating people with opioid-related disorders.

The assessment runs through Sept. 8. Providers who did not receive invitations can contact Laura Potts at [laura.potts@mha.ohio.gov](mailto:laura.potts@mha.ohio.gov).

**Natural Resources:** The department announced it will hold special deer hunts at six state nature preserves across the state. Drawings will be held for the hunts, and entries cost \$5.

## **Governor's Appointments**

**Ohio University Board of Trustees:** Stephen P. Casciani of Delaware (Delaware Co.) for a term beginning Aug. 18 and ending May 13, 2026.

## **Supplemental Agency Calendar**

### **Tuesday, August 22**

Public Facilities Commission, 35th Fl., 30 E. Broad St., Columbus, 2 p.m.

### **Thursday, August 24**

BWC Board of Directors, Rm. 3, Level 2, 30 W. Spring St., Columbus, 8:30 a.m. (The Investment Committee will meet 8:30 to 10:30 a.m.; the Actuarial Committee 10:30 a.m. to noon; the Medical Services & Safety Committee 1 to 2 p.m.; the Governance Committee 2 to 2:30 p.m.; and the Audit Committee 2:30 to 4 p.m. The Actuarial, Governance and Audit Committee meetings may begin earlier if the preceding meeting adjourns earlier than scheduled.)

### **Friday, August 25**

BWC Board of Directors, Rm. 3, Level 2, 30 W. Spring St., Columbus, 8 a.m.

### **Monday, August 28**

**Southern Ohio Agricultural & Community Development Foundation, 100 S. High St., Hillsboro,  
9:30 a.m.**

**Wednesday, September 13**

**Petroleum Underground Storage Tank Release Compensation Board, Suite 1500, 50 W. Broad  
St., Columbus, 10 a.m.**

**17 S. High St., Suite 630**

**Columbus Ohio 43215**

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## **Daily Activity Planner for Saturday, August 19- Monday, August 21**

### **Legislative Committees**

Monday, June 4

~~Canceled:~~ Joint Committee on Agency Rule Review (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 121, 1:30 p.m.

### **Agency Calendar**

Monday, August 21

Controlling Board, North Hearing Rm., Senate Bldg., Columbus, 1:30 p.m.

### **Event Planner**

Saturday, August 19

Ohio Democratic Women's Caucus Luncheon, Hilton Columbus Downtown, 401 N High St., Columbus, 11:30 a.m., (Keynote Speaker is Kathleen Sebelius. For more information contact Rachel Rossi (rachel@ohiodems.org))

### **Monday, August 21**

Sen. Matt Huffman (R-Lima) golf outing fundraiser, Urbana Country Club, 4761 US-36, Urbana, (9:00 am Registration | 10:00 am Shotgun Start | Lunch at the turn on the go | 2:30 pm Short Program. \$1,000 Tournament Sponsor; \$600 Eagle Sponsor; \$200 Hole Sponsor; \$100 Golfer)

OHROC Lake Erie Boat Cruise and Reception with Speaker Cliff Rosenberger (R-Clarksville), Rep. Steve Arndt (R-Port Clinton), and Rep. Bill Reineke (R-Fremont), Catawba Island Club, 4235 E. Beach Club Road, Port Clinton, 5:30 p.m., (5:30pm Arrive at Catawba Island Club; 6:00pm Depart on Burger Yacht "Gemini"; 8:00pm Reception. Sponsor: \$5,000; Host: \$2,500; Patron: \$1,000; Guest: \$500 to OHROC)

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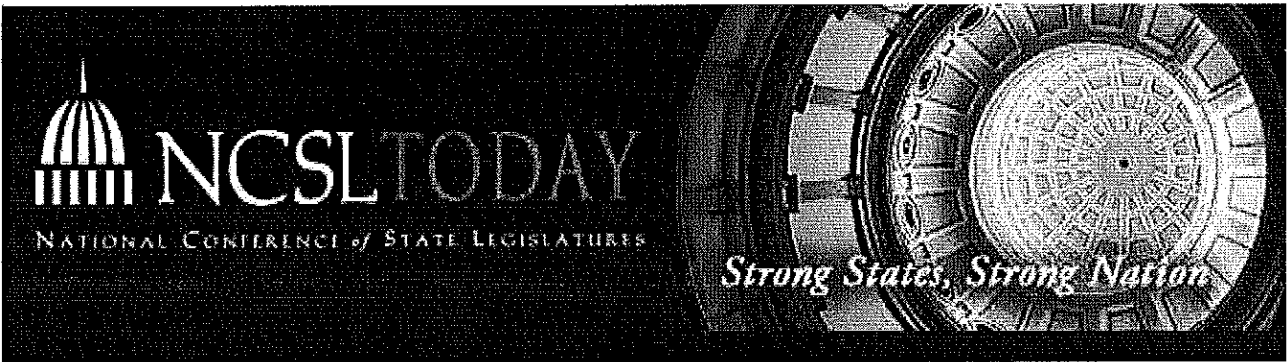
**To:** Rep76

**Subject:** 'Ban the box' laws may harm young black men seeking jobs

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## **TOP NEWS** Aug. 22, 2017

### **'Ban the box' laws may harm young black men seeking jobs**

*Stateline*

Several recent studies have found that black men, even those without a criminal history, are less likely to get called back or hired after a ban the box law is put in place.

### **North Carolina Senate releases legislative district rewrite**

*Associated Press*

Map-makers are proposing new districts for members of the North Carolina Senate, a move forced after a federal court ruled state Republicans illegally gave too much emphasis to race in the current version of legislative groupings.

### **Grid runs smoothly in California during eclipse**

*San Diego Union Tribune*

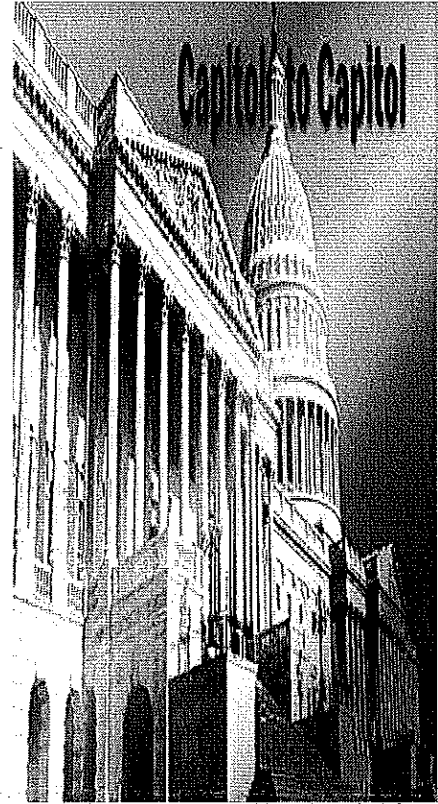
The sun may have gone into eclipse mode Monday but the California electric grid did not. Power system officials across the state reported no major reliability issues, even though solar power took a dramatic dip as the moon obscured a large portion of the sun Monday morning.

### **Free college grows as Arkansas, Indiana, Minnesota, Rhode Island join in**

*CNBC*

Think "free" tuition sounds unrealistic? It's already a reality in more than 20 states. **NCSL's Dustin Weeden** quoted.

### **Instead of taxes, Colorado gets fees**



### **FEATURED**

### **Capitol to Capitol: Deadlines bear down on Capitol Hill**

In 41 days, the federal government will shut down without passage of a new spending package. Also on Sept. 30, the current authorizations for the Federal Aviation Administration, the Children's Health Insurance Program and the National Flood Insurance Program will expire if Congress does not act.



*The Denver Post*

Designed to impose fiscal discipline on government, the amendment known as TABOR also sets a cap on spending growth each year. But 25 years later, policymakers on both sides of the aisle say Colorado government finance has instead become an increasingly complicated exercise in sidestepping those restraints.

### **On Illinois farms where labor is tight, foreign workers are welcomed**

*The Chicago Tribune*

As the nation's immigration debate roils, farms like Rendleman are far beyond the question of whether immigrant labor is needed. They say they can't survive without it, their towns are better for it and that reforms are necessary to maintain and replenish the manpower they need to pull in each season's harvest.

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**Sent:** Wednesday, August 23, 2017 2:43 PM

**To:** Isabel Harrison

**Subject:** Cleveland Training Center Tour and Roundtable Event 8/24

**Attachments:** Invitation\_SMART 33 Tour\_8\_24\_17\_Final.pdf

Hello,

Thank you for your RSVP to the Cleveland Training Center Tour and Roundtable Event **tomorrow from 2:00pm - 3:30pm** (invitation attached).

The Training Center is located at **12525 Corporate Drive, Parma, OH 44130**. More than 20 policymakers plan on attending, along with labor leaders, employers engaged in energy efficiency work, and members of the media.

We are delighted that you will be joining us for this event to meet with Ohioans that are working in the energy efficiency sector, and training the next generation of skilled workers.

**Isabel Harrison**

Research Associate

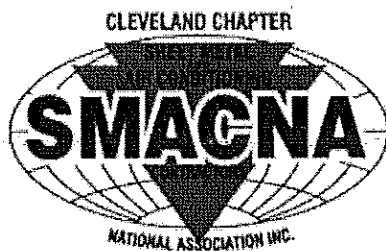
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July 11, 2017

Dear Distinguished Guest,

The Sheet Metal Air, Rail & Transportation Workers (SMART Local 33) and the Cleveland Chapter of the Sheet Metal and Air Conditioning Contractors' National Association (SMACNA-CLE) invite you to an event that will demonstrate the contribution of energy efficiency to Ohio's economy, and showcase leaders in the field. Please join local sheet metal workers, employers engaged in energy efficiency work, labor leaders, and members of the media for:

Cleveland Training Center Tour & Roundtable Discussion  
August 24, 2017  
2:00 p.m. - 3:30 p.m.  
12525 Corporate Drive  
Parma, OH 44130

The Cleveland Training Center is one of the top training facilities in the country with state-of-the-art laboratories and classroom space. The facility provides hands-on training for hundreds of apprentices and journeymen who apply highly technical skills to work for contractors throughout Ohio. At this event, we will describe some of the work that is done by our members; provide an opportunity to observe our apprentices in action; and discuss some of the larger market, policy and regulatory issues that intersect with the current and future job opportunities of our members. We will also be joined by representatives from the Ohio Environmental Council, the Alliance for Industrial Efficiency, members of the press, and additional partners. Light refreshments will be served and casual attire is encouraged.

We hope that you will be able to attend this event to meet with Ohioans that are working in the energy efficiency sector, and training the next generation of skilled workers.

Please let me know if we can count on your participation on the 24th.

Please RSVP by August 11 at <http://bit.ly/RSVP-SheetMetalTour> or call (440) 877-3500 or email Linda Shoaff at [lshoaff@smacnacle.org](mailto:lshoaff@smacnacle.org) if you have any questions about the event

Sincerely,

Michael Coleman  
Business Manager & President, SMART Local 33

Thomas E. Martin  
President, SMACNA-CLE

**From:** Gongwer News Service

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## OHIO REPORT WEDNESDAY, AUGUST 23

**Taylor Unveils Proposal To Streamline Tax System**

**Legislation Targeting Sex Solicitations With Minors Set To Return**

**Interested Party Meetings Resume On OVEC Energy Bill**

**Board Preps For Teacher Evaluation System Changes In Anticipation Of  
Legislative Action**

**Farmers Union Launches Biofuel Lobbying Effort**

**Kasich Continues Health Care Push, But Won't Testify At Congressional Hearing; Event To Discuss Appalachian Disparities**

**ECOT Could Become Dropout Recovery School; Online STEM Program Aims To Promote Advanced Manufacturing Careers**

**JCARR Unveils Revamped Filing System; Labor Force; ODA; DNR**

**Capitol Scene: Gentile Joins Vorys Advisors; ORP Names Regional Field Directors**

**Supplemental Agency Calendar**

**Supplemental Event Planner**

## **CALENDARS**

### **Day Planner**

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## **Daily Activity Planner for Thursday, August 24**

### **Legislative Committees**

No legislative committees scheduled.

### **Agency Calendar**

**BWC Board of Directors, Rm. 3, Level 2, 30 W. Spring St., Columbus, 8:30 a.m.**  
(The Investment Committee will meet 8:30 to 10:30 a.m.; the Actuarial Committee 10:30 a.m. to noon; the Medical Services & Safety Committee 1 to 2 p.m.; the Governance Committee 2 to 2:30 p.m.; and the Audit Committee 2:30 to 4 p.m. The Actuarial, Governance and Audit Committee meetings may begin earlier if the preceding meeting adjourns earlier than scheduled.)

**Board of Building Standards, Training Rm. 1, 6606 Tussing Rd., Reynoldsburg, 10 a.m.** (Certification and Education Committee; The Code Committee meets at 1 p.m.)

**State Employment Relations Board, 65 E. State St., 12th Fl., Columbus, 10 a.m.**

### **Event Planner**

**Sen. Bob Hackett (R-London) golf outing fundraiser, London Country Club, 1199 Spring Valley Rd., London, 9 a.m., (9:00am Registration | 10:00am Shotgun Start. \$1,000 Ace Sponsor, \$700 Eagle Sponsor, \$500 Cart Sponsorship, \$250 Hole Sponsorship, \$150 Cart Sponsorship, \$100 Tee Sponsorship, \$85 Individual to Hackett for Ohio)**

**Attorney General Mike DeWine news conference on foster care and the opioid epidemic, Rhodes State Office Tower, 17th Floor, 30 East Broad Street, Columbus, 10 a.m.**

**Hamilton County GOP State Legislators golf outing fundraiser, Glenview Golf Course, 10965 Springfield Pike, Cincinnati, 10 a.m., (\$1500 Sponsor; \$300 Hole Sponsor; \$175 Golfer)**

**17 S. High St., Suite 630**

**Columbus Ohio 43215**

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**Volume #86, Report #163 -- Wednesday, August 23, 2017**

**Taylor Unveils Proposal To Streamline Tax System**

Lt. Gov. Mary Taylor on Wednesday vowed to reshape Ohio's tax system if elected the state's next governor.

Speaking in Toledo after meeting with the regional chamber of commerce, Lt. Gov. Taylor called for downsizing tax forms, resetting withholding tax tables and creating a new "taxpayer advocate" position within the Common Sense Initiative.

"We have reduced taxes by \$5 billion over the last six-and-a-half years, the most in the country," Lt. Gov. Taylor said. "But too often, taxpayers still feel like it is too difficult to pay their taxes or work with our tax system. If we are going to ask Ohioans to pay taxes, we should make it as easy as possible for them to do it."

Her announcement represents one of the first major policy proposals from the field currently vying to succeed term limited Gov. John Kasich. Lt. Gov. Taylor is battling Attorney General Mike DeWine, Secretary of State Jon Husted, and U.S. Rep. Jim Renacci for the Republican nomination.

Lt. Gov. Taylor, who noted her background as a certified public accountant, said the state's personal income tax return should be returned to its 1972 size of being no larger than a postcard. Today, she said, the form is 11 pages with an additional 60 pages of instructions.

Resetting the withholding tables, she said, would allow taxpayers to keep more dollars in their pockets rather than wait for the April refund.

"That in turn will allow Ohioans the flexibility to make their own decisions on how to spend their money rather than letting the bureaucrats in Columbus decide for them," Lt. Gov. Taylor said.

She described the new taxpayer advocate, which would be located within the CSI office she has led for the last six years, as an independent voice separate from the tax department.

"The advocate will be committed to helping taxpayers comply and advocating for changes to tax law, policy, interpretations, and application when taxpayers are treated unfairly," her release said.

Spokespeople for other GOP candidates expressed skepticism following the announcement.

Dave Luketic, Mr. DeWine's campaign manager, called Lt. Gov. Taylor's proposal "fine."

"If it was such a good idea, why hasn't she done this the last seven years as lieutenant governor?" he added. "She must not really believe it."

Renacci campaign spokesman James Slepian, citing the congressman's own CPA status, said Rep. Renacci understands the "dire need for pro-growth tax reform."

"Unfortunately, like most Ohioans, Jim Renacci has lost faith in the ability of the same career politicians who currently run our state to fix problems they've spent years in Columbus vowing to solve, but have failed to," Mr. Slepian said. "That's why it's clear that we need fresh leadership and a Columbus outsider like career businessman Jim Renacci in the governor's office who won't just talk about solutions, but who will actually deliver them."

Mr. Husted's campaign spokesman, Josh Eck said Mr. Husted has a record on tax-related issues.

"As House speaker, Jon Husted led passage of the largest tax cut in the state's history, and as Secretary of State, he's been a proven fiscal conservative by running his office without using any tax dollars at all for the final two years of his term," he said.

Ohio Democratic Party Chairman David Pepper, meanwhile, blasted Lt. Gov. Taylor, saying she is part of an administration "that gave a massive tax break to the wealthy by slashing funding for our kids' schools and our communities, raising taxes on middle class Ohioans and at the local level and failing to achieve its state goal of making Ohio more competitive."

"Ohio is in our 56<sup>th</sup>-straight month of job growth trailing the national average, and our economy is struggling, in part, because of the trickle-down tax policies pushed by Columbus Republicans like Mary Taylor," Mr. Pepper added.

**Sutton-Celeste:** On the Democratic side, gubernatorial candidate Betty Sutton announced Wednesday that Christopher Celeste will be a co-chair of her campaign.

The son of former Gov. Dick Celeste, Christopher Celeste has helped create political action committees, advertising agencies and tech start-ups, the campaign said.

"I'm excited about Christopher's leadership role in my race to change the priorities in Ohio," Ms. Sutton said. "Christopher is a dynamic leader who shares my vision for building an economy that works for everyone. He is a principled leader who will help the campaign empower millions of Ohioans to deliver opportunities for a first rate education, access to affordable healthcare, and good jobs."

**Legislation Targeting Sex Solicitations With Minors Set To Return**



A pair of lawmakers is again eyeing tougher penalties for those accused of soliciting minors for sex.

Rep. Kent Smith (D-Euclid) and Rep. Tim Schaffer (R-Lancaster) said they plan to introduce the legislation that would require prison time for importuning.

Current law carries the presumption that a prison term will be imposed. But, the sponsors said Wednesday that too many offenders are receiving probation instead of prison time and are nearly immediately back on electronic devices attempting to solicit children for sex.

Rep. Schaffer said during a Statehouse news conference that just 20-30% of offenders receive prison time.

Under the legislation, a person who attempts to solicit anyone under the age of 16 for sexual activity will be subject to a mandatory prison term if the offender is more than 10 years older than the person he or she is soliciting. If the victim is under the age of 13, a mandatory prison sentence will also be imposed.

Prison terms would range from six to 36 months, depending on the circumstances.

"The main goal of this bill is to make sure that predators caught importuning will not escape the hand of justice," Rep. Schaffer said.

Rep. Smith, a former member of the Ohio Internet Crimes Against Children Task Force, pointed to the case of Christopher Schroeder as an example of why the legislation is needed. The Missouri man in 2015 began an online relationship with a 15-year-old Ohio girl before meeting her in person, taking her to his home and sexually abusing her.

He has since been sentenced to 15 years in prison, but many people who believe they are communicating online with young boys or girls who are really undercover law enforcement officers do not receive such lengthy sentences, according to Rep. Smith.

From 2012-2014 in Cuyahoga County alone, he said, there were 10 offenders who pleaded guilty to importuning and were sentenced to probation.

"All 10 could be online immediately thereafter or today or tomorrow," he said.

ICAC Task Force Commander David Frattare said the growing prevalence of the digital world and social media makes the legislation especially necessary.

Children, he said, are "one click or one online friend away from a predator."

Westerville Police Officer Steve Grubbs, a member of the Franklin County Internet Crimes Against Children Task Force, said online predators come in all forms.

"These are productive members of society that otherwise would not be exposed for the monsters they truly are," he said.

Similar legislation (HB405, 131st General Assembly) last year unanimously cleared the House but did not receive a vote in the Senate Criminal Justice Committee after four hearings.

The Ohio Association of Criminal Defense Lawyers opposed last year's measure on the grounds that it would strip judges of judicial discretion.

Nonetheless, Rep. Schaffer said the measure has wide support. He also predicted the measure will become law this General Assembly.

"This is a huge threat to our families that we have to get under control and address as a society," he said. He also anticipates that the bill, once it becomes law, will serve as a deterrent, calling prison time "a pretty big hammer to hold over somebody's head."

Rep. Smith said those involved in importuning are more likely to reoffend if they are not sentenced to time in prison.

"The danger is, again, if these folks get probation, they can be up online doing almost the same thing immediately," he said.

### **Interested Party Meetings Resume On OVEC Energy Bill**

Stakeholder meetings are back underway this week surrounding a controversial bill to grant cost recovery to utility owners of the Ohio Valley Electric Corporation.

As senators returned to Columbus to vote on a series of veto overrides, they resumed talks with interested parties over the controversial legislation (SB 155) awaiting action before the Senate Public Utilities Committee.

"We'll be meeting with some of the interested parties and then I think we'd like to meet again with some other interested parties," said Sen. Bill Beagle (R-Tipp City), the committee's chairman, in an interview.

"I don't know when we'll call a committee meeting but I suspect when we do - I'm guessing in September - we'll at least take up (SB) 155," he added.

The bill would permit the major Ohio utilities to recoup the expenses tied to their ownership of a portion of OVEC, which they say is a money-losing contract they cannot exit. Lawmakers last spring adopted a substitute version of the bill that in part installed cost caps in an effort to alleviate some opponent concerns. (See Gongwer Ohio Report, June 22, 2017)

But they ultimately refrained from voting on the measure before leaving for summer recess. The same holds true for the House version (HB 239) which was also substituted but remains pending before the House Public Utilities Committee. (See Gongwer Ohio Report, June 20, 2017)

"The purpose of the meeting is to go over the latest version of it and some of the members of the committee will be brought up to speed as to where it is," Sen. Beagle said. "They can ask questions about that and we'll make sure everybody's on the same page."

Meanwhile, there's been no decision made on the future of the House bill over the summer, according to sponsor and committee vice chair Rep. Rick Carfagna (R-Westerville).

He said he looks forward to discussing the bill with Rep. Bob Cupp (R-Lima) who in July was named chairman of the House committee. (See Gongwer Ohio Report, July 28, 2017)

"Nothing new to report on that end," Rep. Carfagna said. "I think at some point (Rep. Cupp) and I will sit down and huddle not just over OVEC but things that are pending in Public Utilities and things we see in the horizon for referral to Public Utilities."

Among other controversial energy business awaiting lawmakers this fall is a bill to grant cost recovery to FirstEnergy's nuclear plants - a bill opponents label a bailout and that Republican leaders have expressed skepticism about.

The House legislation (HB 178) stalled under the committee's prior chairman, Rep. Bill Seitz, and Sen. Beagle said he's waiting to hear from sponsors before plotting any potential future hearings of the Senate version (SB 128).

Sen. Troy Balderson (R-Zanesville), meanwhile, said there's likewise no clear timeline at this point on when he expects a controversial House bill before his Senate Energy & Natural Resources Committee to move.

That bill (HB 114) would render the state's renewable energy standards unenforceable goals and has drawn staunch opposition from environmental and renewable energy advocates. It received quick House passage last spring followed by two Senate hearings.

### **Board Preps For Teacher Evaluation System Changes In Anticipation Of Legislative Action**

Work on revising the state's system for grading teachers is currently underway, but the General Assembly must take action before any of the efforts can come to fruition.

Educator Standards Board members have spent the last few months creating a new rubric for the Ohio Teacher Evaluation System, board chairman Jeff Cooney said.

Revising the details that guide teacher instruction is the first of six board recommendations aimed at improving the evaluation process.

The recommendations were quickly endorsed by the State Board of Education earlier this year with hopes that they'd end up in the biennial budget. That didn't happen, though. (See Gongwer Ohio Report, April 11, 2017)

"We are indeed waiting for the legislature at this point," Mr. Cooney said.

Sen. Peggy Lehner (R-Kettering), chair of the Senate Education Committee, confirmed this week that she has drafted legislation based on the OTES revisions suggested by the board.

"I expect to introduce that soon," she said in an interview.

Educators are optimistic that the recommendations will ultimately receive support, so in the meantime, the Educator Standards Board is working out how best to implement them, Mr. Cooney said.

"We come from all over the state sometimes for the (monthly) meetings and so we only have a certain amount of time," he said, adding: "We've gotten a lot of positive feedback from those who have read them and so we're excited and hopefully we can continue our work on this."

The current goal is to update the rubric to improve clarity in the distinctions between performance levels and reduce redundancy, he said. The recommendation also calls for the creation of a separate guidance document to identify possible sources of evidence of performance.

Changes to the rubric are also being considered in combination with a separate recommendation to roll student indicators, such as value-added, into the rubric portions on differentiation, knowledge of students, assessment data, assessment of student learning and professional responsibility.

"In many ways the recommendations are connected," Mr. Cooney said.

Other recommendations include revising the structure and timing of observations and providing a professional growth process for teachers rated accomplished and skilled.

The most sought-after change proposed by the standards board would eliminate shared attribution, which calculates an average value-added total for all teachers in a school that is then used as part of each teacher's evaluation score.

Concerns about how the evaluations are administered and the outcomes for teachers have prompted legislation (HB 176) to eliminate OTES and allow districts to select their own methods for grading teacher performance.

The controversial measure, which would also eliminate statewide learning standards and tests tied to them, is currently pending before the House Education & Career Readiness Committee.

Considering the desires of some lawmakers to scrap OTES, committee Chairman Rep. Andy Brehner (R-Powell) said earlier this year that the standards board recommendations will require a thorough review. (See Gongwer Ohio Report, April 7, 2017)

### **Farmers Union Launches Biofuel Lobbying Effort**

The National Farmers Union and its state affiliates are rolling out a new effort to lobby Congress and the Trump Administration to support biofuel-friendly policies.

The groups hope that federal support for the Renewable Fuel Standards - which call for an escalating amount of renewable fuel to be used each year - and other policies will help mitigate what they fear is a pending economic farming disaster in Ohio and other states.

"Right now, it's more important to the economy because there is a looming farm crisis," said Ron Sylvester, spokesman for the Ohio Farmers Union, in an interview.

"If we don't protect renewable fuels and Renewable Fuel Standards and if we were to take ethanol out of the equation right now there would be a significant - I don't want to call it a cataclysm - but there would be significant addition to the downturn in the overall farm economy."

The OFU had previously signaled alarm at the prospect of a farm crisis. After seizing a victory modifying the Current Agricultural Use Value formula during the last budget, the group said then it would shift its attention to gaining support for farm-friendly policies at the federal level. (See Gongwer Ohio Report, July 13, 2017)

Roger Johnson, NFU's president, said net farm income is about half what it was four years ago while median farm income is projected to drop into the negatives this year. Farm lending has dropped, he said, while foreclosures and bankruptcies appear to be on the rise.

"The economic crisis in America today is really very real," Mr. Johnson said. "There's a need to look for policy solutions and one of the best ones is right in front of us and that is doubling down on and increasing our effort to build the infrastructure around the renewable fuels industry."

To achieve that aim, the NFU has hired the National Biodiesel Board's Anne Steckel, a longtime industry player, to serve in the new role of biofuels adviser. And the group, along with its state-based members, over the coming months will ramp up lobbying and public education efforts.

Ohio is the eighth largest producer of ethanol, according to the U.S. Energy Information Administration, with more than 550 million gallons produced each year. But advocates say farmers in Ohio and other states could be doing more and that further growth of the sector could help support farmers and their families through the downturn.

"We're getting close to harvest time right now," Mr. Sylvester said. "If we were to make a decision as a nation to move away from renewable fuels at this point in time or we're going to not follow to the letter of the existing legislation I'm kind of fearful what that would mean to corn markets even this year."

Other concerns shared by Ohio farmers, Mr. Sylvester said, are lingering uncertainty surrounding the future of the Affordable Care Act and the cost in rural communities and small hospitals of shouldering the opioid epidemic.

### **Kasich Continues Health Care Push, But Won't Testify At Congressional Hearing; Event To Discuss Appalachian Disparities**

While health care overhauls remain a top, if stalled, priority in Congress, Gov. John Kasich and other governors continue to push for a bipartisan approach to stabilizing insurance markets.

In an interview with Colorado Public Radio this week, Gov. Kasich and Colorado Gov. John Hickenlooper, a Democrat, said they are working together on an approach to health care policy they plan to present to Congress.

Gov. Hickenlooper is among five governors invited to testify before the U.S. Senate Health Committee on Sept. 7. Gov. Kasich was not invited.

The other governors invited to the hearing are Charlie Baker of Massachusetts, Steve Bullock of Montana, Bill Haslam of Tennessee and Gary Herbert of Utah. Messrs. Baker, Bullock and Hickenlooper all joined Gov. Kasich in a letter to Congress in June detailing principles for health care policy. (See Gongwer Ohio Report, June 16, 2017)

In the interview, Gov. Kasich said the details of the proposal were still being worked out, but that his staff and Gov. Hickenlooper's staff were close to a compromise.

"It's not going to some 'pie in the sky, way up there' kind of stuff, these will be things that we will address that will have a specific solution," he said.

The governors are focusing on stabilizing private insurance markets and not on Medicaid, he said.

Asked about the individual mandate, Gov. Kasich said an individual mandate doesn't necessarily work for car insurance, so the goal is to find policies that maximize coverage.

"We want to make sure that people have some decent coverage," he said. "Primary care is important. Catastrophic coverage is important. We don't want anybody to get bankrupted because they get sick. So some sort of coverage for all Americans is ideal because if they don't have any coverage then they end up living in the emergency room of hospitals, driving up costs."

**Health Gaps Event:** The Health Policy Institute of Ohio will hold an event in Athens next month to focus on strategies to close health disparities in the southeastern part of the state.

The forum, to be held at the Ohio University Walter Hall Rotunda from 10:30 a.m. to 2 p.m. Sept. 19, will include a panel of local experts.

Experts include representatives from Southeastern Ohio Legal Services, the Corporation for Ohio Appalachian Development, Perry Behavioral Health Choices and the Washington County Health Department.

### **ECOT Could Become Dropout Recovery School; Online STEM Program Aims To Promote Advanced Manufacturing Careers**

The Electronic Classroom of Tomorrow is looking to immediately change its designation to a dropout recovery school.

The e-school's governing board this week voted to approve the switch that would be effective for this school year if it is approved by the state, according to a *Columbus Dispatch* report.

By becoming a drop-out recovery school, ECOT could meet less-strict graduation and testing requirements and could also take on more students. The change also requires at least half of the school's student body be age 16 or older and behind in school by at least one grade level.

The move comes as ECOT battles with the state over a full-time attendance audit process that resulted in a clawback of \$60 million for the 2015-16 school year and a withholding of 12% of funds for this school year.

Sen. Joe Schiavoni (D-Boardman), a longtime ECOT critic and gubernatorial candidate, called on the state to deny the conversion.

"If the state allows ECOT to become a dropout recovery school, they will get exactly what they want: your tax dollars with fewer strings attached," he said in a statement.

"Through their lawsuits and failure to track attendance, the leaders of ECOT have made it clear they're not interested in improving students' education. Now they're asking us to trust them with children who need even more attention and support. This proposed change would have very real consequences for thousands of struggling students."

**STEM Program:** Ohio teachers now have access to an online platform focused advanced manufacturing and STEM learning experiences.

The MakerMinded platform connects middle and high school students to more than 150 STEM experiences that are aimed at encouraging them to further their learning about and encourage careers in advanced manufacturing.

The online tool that launched in Ohio on Wednesday was created by Lightweight Innovations for Tomorrow in partnership with Battelle, the Ohio STEM Learning Network, the Ohio Manufacturers' Association and Tennessee Tech University's iCube.

According to a joint release, the initial goal is to engage 100 schools in the state and award top performing schools for their interaction with MakerMinded advanced manufacturing programs.

"MakerMinded offers an excellent starting point for schools looking to get started with STEM or expand the opportunities they offer students," said Aimee Kennedy, senior vice president of education, STEM learning, and philanthropy at Battelle. "We're proud to bring this opportunity to the Ohio STEM Learning Network and all schools interested in showing their students the promise of STEM career."

Added OMA President Eric Burkland: "As the state's largest sector, Ohio manufacturers employ around 700,000 Ohioans with a total payroll of \$39 billion. We are proud to stand behind MakerMinded as an initiative that will help companies connect to the future talent they need to grow and ensure that workforce has the skills to excel."

#### **JCARR Unveils Revamped Filing System; Labor Force; ODA; DNR**

State agencies will have a new system in which to file rules, and the Joint Committee on Agency Rule Review said it should make the rulemaking process more efficient.

The redesigned electronic rule filing system, announced Wednesday, is the first major overhaul since it was created in 2002.

More than 100 state entities use the electronic filing system, according to JCARR.

"Each week, JCARR receives dozens of rules being proposed by state agencies. The updated Electronic Rule Filing System will save agency staff time, making this process easier," Rep. Mike Duffey (R-Worthington), who chairs JCARR, said in a statement. "More importantly, the updated Rule Summary and Fiscal Analysis will transition from asking agencies the dollar impact for the next two years into asking the dollar impact for now and well into the future. This will help JCARR and the public know the true cost of many rules that have a delayed impact."

The redesigned filing system is intended to increase public participation in the rulemaking process, according to JCARR.



"I commend Director (Larry) Wolpert and the Joint Committee on Agency Rule Review staff for their dedication to bringing efficiency and ease to the way state agencies file rules for review. These changes will allow for better collaboration between agencies, businesses, and citizens so Ohio can continue to prosper," said JCARR Vice Chair Sen. Joe Uecker (R-Loveland).

**Labor Force:** Unemployment rates among Ohio's 88 counties ranged from 3.5% in Mercer County to 8.7% in Trumbull County in July, the Department of Job and Family Services announced.

Jobless rates were up in 50 counties, down in 10 and unchanged in 28 for the month.

The four counties with rates at or below 4% were Mercer, Delaware and Wyandot at 3.9% and Holmes at 4%. Seven counties were at or above 7.5% -- Trumbull, Meigs at 8.5%, Mahoning at 8.1%, Huron and Monroe at 8%, and Athens and Jefferson at 7.5%.

**Agriculture:** The department confirmed epizootic hemorrhagic disease, or EHD, in both white-tailed deer and cattle in Ohio.

The cow that was diagnosed was in Jefferson County and the wild buck was from Lorain County, according to ODA. Cases have been detected in Ohio in both summer and fall each of the last several years, and significant outbreaks have happened every five years, with the last in 2012.

The virus is not infectious to people and is not spread from animal to animal, according to ODA. It's transmitted by small midges, so infections are often seen in the late summer and early fall.

Cattle may show signs similar to other reportable diseases, such as foot and mouth diseases, and producers and animal owners are encouraged to report cases to veterinarians.

**Natural Resources:** The Division of Oil and Gas Resources Management reported 2,579 permits had been issued for drilling in the Utica shale as of Aug. 19. The division also reported that 2,090 wells have been drilled, with 1,615 in production.

The department also announced that hunting seasons are beginning soon, with early waterfowl seasons for Canada goose and teal opening Sept. 2, and squirrel dove, rail, snipe and gallinule seasons beginning Sept. 1.

Archery season for deer starts Sept. 30.

**Capitol Scene: Gentile Joins Vorys Advisors; ORP Names Regional Field Directors**

Lou Gentile, a former Democratic state senator, has joined the Vorys Advisors firm, it was announced Wednesday.

Mr. Gentile represented the 30<sup>th</sup> District from 2011 through the end of 2016, and served as assistant minority whip. He was also the ranking Democrat on the chamber's Energy & Natural Resources and Public Utilities Committees.

"Lou is widely respected by everyone at the Statehouse, including both Democrats and Republicans," said Tom Niehaus, a Vorys Advisors principal and former Ohio Senate president. "His experience in the legislature and working to grow jobs through the Governor's office of Appalachia make him uniquely suited to counsel our clients, businesses and organizations throughout Ohio. We're thrilled to have him on our team."

He also served as deputy director of the Governor's Office of Appalachia under former Gov. Ted Strickland. The Steubenville native is a graduate of West Virginia University.

**ORP-Field Directors:** The Ohio Republican Party announced it has hired six individuals to work as regional field directors for the upcoming campaign cycle. The field directors, who will lead on voter contact, registration and field efforts, are:

Central Ohio: Riley Mahoney

East & Southeast Ohio: Debbie Pettit

Northeast Ohio: J.R. Marshall

Northwest Ohio: McKenzie Watt

Southwest Ohio: Brandon Llewellyn

West Ohio: Ryan Nichols

"A strong, well-organized grassroots program is critical to winning elections in the Buckeye State, and today the Ohio Republican Party is doubling down on that strategy," ORP Chair Jane Timken said. "Our team has gained six talented Regional Field Directors who will lead our voter engagement efforts and help ensure Republican victories in 2017 and 2018."

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#### **Supplemental Agency Calendar** **Thursday, September 14**

Children's Trust Fund, 77 South High Street, 13th Floor, Conference Room South B&C,  
Columbus, 10 a.m.

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#### **Supplemental Event Planner** **Wednesday, September 13**

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Rep. Jonathan Dever (R-Cincinnati) fundraiser, deNOVO, 150 S. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Jonathan Dever)

**Tuesday, September 19**

Rep. Doug Green (R-Mt. Orab) and Rep. Kyle Koehler (R-Springfield) fundraiser, Ringside, 19 N. Pearl Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Committee to Elect Doug Green and/or Citizens to Elect Kyle Koehler)

**Monday, October 2**

OHROC Chairman's Cup golf outing fundraiser, Virtues Golf Club, 1 Long Drive, Nashport, 9 a.m., (9:00am Registration; 10:00am Shotgun Start. Event Host: \$5,000; Event Sponsor: \$2,500; Tee Sponsor: \$1,250; Foursome: \$1,000; Individual Golfer: \$250; Reception Only: \$100 to OHROC)

**Tuesday, October 10**

Sen. Frank Hoagland (R-Adena) and Sen. Matt Huffman (R-Lima) fundraiser, Athletic Club of Columbus, Gold Room, 136 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1000 Event Host | \$500 Event Sponsor | \$350 Individual to Hoagland for Ohio or Matt Huffman for Ohio)

**Tuesday, October 24**

Rep. Ryan Smith (R-Bidwell) fundraiser, Athletic Club of Columbus - Lounge, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$10,000; Sponsor: \$5,000; Host: \$2,500; Patron: \$1,000 to Friends of Ryan Smith)

**Wednesday, October 25**

Rep. Sarah LaTourette (R-Chesterland) and Rep. Theresa Gavarone (R-Bowling Green) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to LaTourette for Ohio and/or Citizens for Gavarone)

**Wednesday, November 1**

Rep. Dave Greenspan (R-Westlake) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Dave Greenspan)

Rep. Bill Seitz (R-Cincinnati) and Rep. Bill Blessing (R-Cincinnati) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,000; Sponsor: \$1,000; Host: \$500; Individual: \$350 to Seitz for Ohio and/or Citizens for Blessing)

**Thursday, November 2**

Rep. Steve Hambley (R-Medina) fundraiser, High & Low Winery, 588 Medina Road, Wadsworth, 6 p.m., (Special Guest President Larry Obhof. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Hambley for House Committee)

**Wednesday, November 29**

Rep. Scott Lipps (R-Franklin) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Special Guest Rep. Ryan Smith. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Scott Lipps)

**Tuesday, December 5**


Rep. Gary Scherer (R-Circleville) fundraiser, Ringside, 19 N. Pearl Street, Columbus, 5 p.m.,  
(Special Guest Rep. Ryan Smith. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Gary  
Scherer).

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### Right-to-Work Is Right for America

This week is National Employee Freedom Week (NEFW), an annual effort started by the Nevada Policy Research Institute and the Association of American Educators to highlight the benefits of giving employees the freedom to opt out of union membership. The Heartland Institute is one of many participating organizations in NEFW.

Currently, there are 28 states with right-to-work (RTW) legislation, which gives workers the right to refrain from joining a union, including not having to pay union dues or fees, without being penalized.

A newly released NEFW study compares the attitudes, performances, and management of union employees in RTW states compared to those in non-RTW states. When asked about contract negotiations, working conditions, job security, fringe benefits, and number of hours worked, union members in both RTW states and non-RTW states rated these factors highly, with no significant differences between their ratings.

Opponents of RTW say union members in non-RTW states are significantly disadvantaged, but the study found members in both RTW and non-RTW states “expressed broad support [above 70 percent] for the opportunity to regularly vote on whether to keep representation from their current union (a process often called ‘recertification.’)”

RTW policies also have been proven to have a positive economic impact on state economies. A survey of CNBC’s Global CFO Council members shows two-thirds believe RTW laws are “important” or “very important” when it comes to business location or expansion. States with these policies have attracted more businesses, experienced greater job growth, and *increased union membership* compared to states without RTW laws, such as Illinois. As Senior Policy Analyst Matthew Glans describes in a recent Research & Commentary on the subject, 30 states enacting RTW policies have experienced positive economic progress across the board. Regionally, Indiana, Iowa, Kentucky, Michigan, Missouri, and Wisconsin

have passed RTW and experienced far greater job growth than Illinois has over the same period.”

Ball State University professor Michael Hicks concluded in his 2016 study on the effect right-to-work laws have on worker productivity: “We estimate a Cobb-Douglas production function for manufacturing industries at the state level and find that total factor productivity in non-RTW states was about 57 percent of the level in RTW states. ... Furthermore, our firm-level analysis from the 2007 Survey of Business Owners found that RTW states achieved higher productivity (sales per employee) than firms in non-RTW states.”

Additionally, a 2014 Gallup poll found a majority of Americans, Democrats and Republicans alike, approve of RTW laws. Seventy-one percent of respondents said they would vote for such laws and 82 percent said they believe “no American should be required to join any private organization, like a labor union, against his will.”

Union membership rates are at all-time lows, and RTW law adoptions are at all-time highs. State legislators should consider carefully this trend toward embracing employee freedom and implement right-to-work legislation in their own state.

## WHAT WE'RE WORKING ON

### Education

Research & Commentary: Existing Accountability Laws for Milwaukee Parental Choice Voucher Program Working as Designed

In this *Research & Commentary*, Policy Analyst Tim Benson writes about a new report from the Wisconsin Institute for Law and Liberty that found the accountability provisions for the Milwaukee Parental Choice Program, an important school choice policy, are working as intended, helping to remove low-performing and unsafe schools from the program and allowing high-quality schools to grow. [Read more](#)

### Energy & Environment

Fossil-Fuel Divestment Could Cost Public Pensions Big Bucks, Study Finds

In this article for *Environment & Climate News*, Managing Editor H. Sterling Burnett writes about a new study compiled by Compass Lexicon that shows fossil-fuel divestment is costly to investors. According to the report, university endowments and public employee pension funds that bow to environmentalists' demands that they divest their holdings from companies involved with the fossil-fuel industry could suffer significant losses, or at a minimum, have their endowments, portfolios, and retirement funds grow by substantially less than they otherwise would. The report notes environmental groups have already pressured more than 1,000 universities and state and city retirement funds to divest their holdings of stocks and bonds in companies that finance, produce, transport, or burn fossil fuels to produce electricity,



which they blame for numerous alleged environmental problems and climate change. [Read more](#)

#### **Budget & Tax**

##### **Research & Commentary: Reducing COLAs to Bring Pension Costs Down**

In this *Research & Commentary*, Senior Policy Analyst Matthew Glans examines state pension reform and the effects of changing cost of living adjustments. "Taxpayers cannot afford for states to continue overpromising and underfunding their pension plans. States should consider reducing COLAs or ending automatic COLAs outright," wrote Glans. [Read more](#)

#### **Health Care**

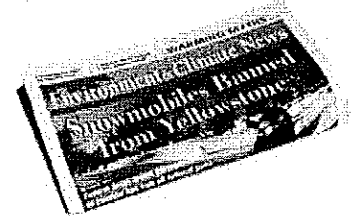
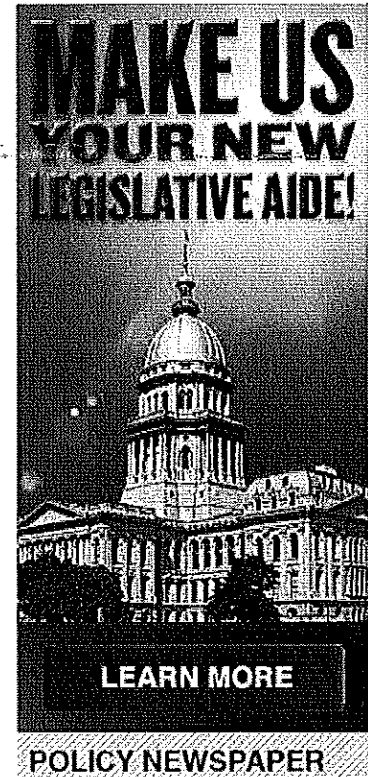
##### **Heartland Daily Podcast: Only Liberty Can Loose the Gordian Knot of Health Care Reform**

In this edition of the *Heartland Daily Podcast*, host Michael Hamilton argues in his final broadcast of the *Health Care News Podcast* Congress should learn from Alexander the Great: Health care reform is the Gordian Knot that Republicans and Democrats alike will never untie as long as they continue granting the faulty premises of the Affordable Care Act. [Listen here](#)

#### **From Our Free-Market Friends**

##### **'Legalized theft' Continues in Clark County**

Earlier this month, the Nevada Policy Research Institute released a study examining the controversial civil-asset forfeiture program used by the Las Vegas Metropolitan Police Department. Policy Analyst Daniel Honchariw analyzed seizures and forfeiture data from the 2016 report, which Nevada law enforcement agencies must file annually with the state's attorney general. "[M]ost forfeitures were for amounts less than \$1,000 – making it cost-prohibitive for innocent parties to contest the seizure" and "occurred mostly in low-income, minority neighborhoods," Honchariw wrote. [Read more](#)



The August 2017 issue of *Environment & Climate News* reports that the New Hampshire Gov. Chris Sununu will not join the U.S. Climate Alliance, which currently consists of 12 states and Puerto Rico. The alliance was formed after the United States withdrew from the Paris Climate Agreement in June, and members pledge to uphold the climate agreement by reducing greenhouse-gas emissions.

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- [New Legislation to Explore Specialized Business Court Dockets in Ohio](#)
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## OHIO REPORT WEDNESDAY, AUGUST 30

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**Volume #86, Report #168 -- Wednesday, August 30, 2017**

**Fentanyl, Cocaine Deaths Up As Overdose Total Passed 4,000 In 2016**

The number of overdose deaths in Ohio continued to climb in 2016, rising to 4,050 from 3,050 in 2015, according to a report released Wednesday by the Department of Health.

Deaths from prescription opioid overdoses dropped from 667 in 2015 to 564 last year, according to ODH, the lowest level since 2009.

The dramatic rise in total overdose deaths is increasingly driven by synthetic opioids - namely fentanyl and carfentanil - and cocaine. Fentanyl and related drugs were involved in 58.2% of all overdose deaths in the state, compared to 37.9% in 2015, 19.9% in 2014 and just 4% in 2013.

State officials pointed to the drop in deaths from prescription opioids as a sign that efforts to reduce the flood of painkillers have worked in reducing at least one part of the epidemic. New rules for the prescription of opioids for acute pain are set to go into effect Thursday. (*See separate story*)

"The continued increase in opioid-related deaths reaffirms that we still have much work to do, but Ohio is seeing important progress in reducing the number of prescription opioids available for abuse and prescription-related overdose deaths," Dr. Mark Hurst, medical director of the Department of Mental Health and Addiction Services and interim medical director of ODH, said in a statement. "This progress is significant because prescription opioid abuse is frequently a gateway to heroin and fentanyl use later on."

The rise in increasingly dangerous drugs such as fentanyl and the related carfentanil have been significant drivers of the still-rising death toll. Carfentanil, a synthetic opioid sometimes used as an anesthetic for large animals such as elephants, was involved in 340 overdose deaths.

Cocaine-related deaths were also up over the previous year, rising from 685 in 2015 to 1,109 in 2016. More than 80% of cocaine-related deaths also involved a form of opiate, with 55.8% involving fentanyl and related opiates.

Heroin deaths were relatively flat, from 1,424 in 2015 to 1,444 in 2016.

Speaking at a news conference marking the launch of new prescriber rules, Gov. John Kasich said the shift from prescription drugs to "street drugs" is a problem all Ohioans will have to deal with. He said the prevalence of such highly potent synthetic drugs make any illegal drug even more of a potentially deadly risk.

"Just simple marijuana could be laced with fentanyl. It's not the stuff that we saw 20-30 years ago. It's different stuff today," he said. "You're playing with your life."

It will take a cultural shift to make drug use a taboo in order to fight the epidemic, he said.

"We have to convince our young people, and even our people who have lost their jobs and find themselves in a difficult situation, that there's a better way out than that," he said.

He pointed to the drop in deaths from prescription drugs as a sign of progress.

"There are some good things happening," he said. "That doesn't mean we're out of the woods. It just means that this challenge keeps morphing. But the more that we can do to reduce the things that lead to these problems, the better off we are."

ODH said the state is investing about \$1 billion per year in fighting the drug problem, much of it through the Medicaid program. The state budget (HB 49) included an extra \$170 million to support state and local treatment and prevention efforts.

### **New Opiate Prescribing Rules For Acute Pain Set To Take Effect**

Gov. John Kasich said Wednesday he is hopeful that new rules limiting the issuance of opioids for acute pain will help stem the tide of addiction that has plagued the state.

The move is the latest step in an ongoing effort to fight the drug epidemic by keeping people from becoming hooked on prescription painkillers and then moving on to other opioids, such as heroin and fentanyl.

The governor said the rules, which go into effect Thursday, limit what medical providers can prescribe to patients for acute pain and require stricter reporting.

"When you're dispensing this stuff, in some respects, it's like walking around with a loaded gun," he said at a Statehouse news conference. "You have a responsibility to do this the right way."

The rules were developed by the state regulatory boards that oversee pharmacists, doctors, dentists and nurses and were announced earlier this year. (See Gongwer Ohio Report, March 30, 2017)

The restrictions limit prescriptions of opioids for acute pain to no more than seven days for adults and five days for minors. Prescribers can exceed those limits if they provide a specific reason in the patient's medical record. The total dosage can't exceed an average of 30 morphine-equivalent doses per day.

The limitations don't apply to cancer, palliative care, end-of-life or hospice care or medication-assisted treatment for addiction.

One provision, which requires prescribers to enter a diagnosis code into the Ohio Automated Rx Reporting System, has been delayed as part of a compromise between the administration and provider groups. That element goes into effect Dec. 29 for opiate prescriptions and June 1, 2018, for non-opiate controlled substances. (See Gongwer Ohio Report, July 31, 2017)

The governor pointed to the decline in the numbers of opioid prescriptions in the state, down 20% since 2011, and a decline in doctor shopping, which is down 78%. He said limiting the chances that patients will become addicted to prescription painkillers will help with one aspect of the drug problem, but there are more concerns.

Those concerns include the rising rates of deaths from "street drugs" such as fentanyl and cocaine, even as overdose deaths from prescription drugs drop. (*See separate story*)

"It's a road map for how you begin to solve this problem," Gov. Kasich said.

Dr. Megan Marchal, president of the State Board of Pharmacy, said the state's previous efforts have led to a decline of 162 million doses of opiates prescribed throughout the state, and that early data from the first quarter of 2017 show the downward trend continuing.

"Through a collaborative approach with other state agencies, local communities and providers, Ohio has seen a reduction in the number of opiates prescribed," she said.

Dr. Amol Soin, president of the State Medical Board, said most acute pain issues resolve within five to seven days. He said one of the concerns he's heard from providers is that the new requirements for entering diagnosis codes and other record-keeping will take too long.

"So I tried it. I spent about an hour or two updating the software on my (electronic medical record) in my office and then started adding the ICD-10 code on every prescription I wrote," he said.

Constance Clark, president of the State Dental Board, said the new rules are critical for dentists, as they prescribe a significant amount of drugs for acute pain.

Patricia Sharpnack, president of the Board of Nursing, said the restrictions, which apply to advanced practice registered nurses, are an important part of a widespread effort to fight opiate abuse.

"The nursing board is extremely pleased to be part of this strong, collaborative effort to combat Ohio's opioid crisis," she said.

## **Sutton Announces Plan To Create New Department With Labor Focus**

One Democratic gubernatorial candidate moved Wednesday to make workers and organized labor a centerpiece of her campaign.

Former U.S. Rep. Betty Sutton announced plans to create a cabinet-level Department of Labor and Economic Opportunity during a campaign event at Iron Workers Local 17 in Cleveland.



Betty Sutton

The proposal is part of what Ms. Sutton's campaign is calling her "Opportunity Blueprint for Ohio's Future." She said the department will for the first time "put workers at the center of our economic policy in Ohio."

Ms. Sutton said the department will have several goals and responsibilities, including:

- Strengthening the state economy by facilitating the growth of good jobs.
- Working with other state agencies, educational institutions and businesses to cut red tape.
- Evaluating the effectiveness and cost-efficiency of workforce and economic development programs.
- Consulting with experts and academics to develop positions on national economic issues.
- Opposing trade deals and policies that negatively impact Ohio's economy.

"It is long past time that we have a cabinet-level position focused on empowering workers with a seat at the table - every table," she said.



Ms. Sutton said opportunity has been lacking in Ohio due to Republican policies. She pointed specifically to the 22% of Ohio children who are living in poverty, the high foreclosure rate and the number of overdose deaths in recent years.

"Many of our citizens sit above the poverty line but they still struggle to save for retirement or buy a home," she said. "Our economy is stronger when workers and families earn a good wage and have benefits."

Ms. Sutton said the cabinet-level department will not be just another layer of bureaucracy at the state government level.

"It will break through the bureaucracy by adopting for the first time in our state's history a holistic, people-focused approach to work," she said.

Ms. Sutton also touted her work in Congress, including her role in crafting the Cash for Clunkers program, which she said saved the American auto industry and 60,000 jobs along with it.

"It was really about people. The program put dollars, spending power, directly into the hands of consumers," she said. "It proved to be an essential lifeline for an essential industry."

Ms. Sutton also said she will focus on education at every level if she is elected as the state's next chief executive.

"We can no longer afford to shortchange our education in any district or at any level," she said.

Her biggest applause lines, though, came when she vowed to improve prevailing wage and public sector collective bargaining laws and to respect private sector unions.

"Right to Work will be an absolute wrong when I'm governor," she said.

Ms. Sutton called her proposal a "big idea" that is "ambitious but achievable."

"We're going to rekindle the spirit of innovation that drove Thomas Edison, the Wright Brothers, and John Glenn to change the world. Remember, a few short years ago, there was no Silicon Valley, no Microsoft or Apple, there were just some guys working in their garage. At this very moment, there are men and women working somewhere on the next big thing - I want it to take flight in Ohio," she said.

### **Report Spurs Call To Block Seriously Mentally Ill From Execution**

The release of a study that found many of the men scheduled to be executed in the coming years suffer from mental impairments led to a call to for legislation that would spare those with serious mental illnesses from the death penalty.

The report released by Harvard Law School's Fair Punishment Project found that mental illness, intellectual impairment, extreme childhood trauma or young age was a factor for 23 of 26 death row inmates who have execution dates.

The Ohio Alliance for the Mental Illness Exemption said that just two of the individuals highlighted in the report meet the narrow definition of serious mental illness in legislation (SB 40 & HB 81) pending in the General Assembly.

"While all the stories referenced in the report are indeed tragic, only two cases are noted as having been diagnosed with one of the five specified biological brain disorders and were known to have been actively hallucinating in the days leading up to their crime," said Kelly Smith, spokesperson for the OAMIE.

The legislation would exempt from the death penalty those diagnosed with schizophrenia, schizoaffective disorder, bipolar disorder, major depressive disorder or delusional disorder at the time a capital offense was committed.

"Just as juveniles and those with intellectual disabilities lack the culpability required for death penalty convictions, so too do individuals with serious mental illness," Ms. Smith said. "Individuals with serious mental illness at the time of their crime can and should be held accountable without resorting to execution. People with these debilitating impairments need treatment and accountability, not death."

The report found that 17 of the 26 men - or 65% - of those on death row experienced serious childhood trauma. Another six (23%) appear to suffer from a mental illness, the report found.

At least 11 (42%) have exhibited evidence of intellectual or cognitive impairment, including brain injury. Three (12%) death row inmates slated for execution were under the age of 21 at the time they committed their offenses, including Gary Otte, who is scheduled to be executed Sept. 13.

He recently challenged the constitutionality of the state's death penalty statute as it applied to him. Mr. Otte argues, based on a Kentucky court ruling, that executing him would be unconstitutional because he was under the age of 21 at the time of his crime. (See Gongwer Ohio Report, August 24, 2017)

"The Eighth Amendment prohibits the execution of society's most vulnerable and limits its imposition to the most culpable in our society. Unless the governor or a court intervenes, over the course of the next two years, Ohio appears poised to violate that constitutional limitation by scheduling the executions of nearly a dozen individuals who have debilitating impairments, including mental illness, childhood abuse, and intellectual disability," Jessica Brand, legal director for the Fair Punishment Project, said in a statement.

"Our research on individuals facing execution in Ohio turned up some absolutely horrifying stories of abuse, mental illness, and disability. In fact, in 88 percent of the

cases we looked at, we found significant impairments, many of which were never considered by a judge or jury. This indicates something has clearly gone awry in the state's implementation of the death penalty."

The report also found that three men (12%) waived the presentation of any mitigating evidence at the sentencing portion of their trials.

Kevin Werner, executive director of Ohioans To Stop Execution, called the findings "shocking but not surprising."

"It demonstrates how far off the rails Ohio's death penalty has veered," he said. "There is a fundamental morality problem when Ohio reserves execution for those with the lowest intellectual functioning, with the most troubling histories of childhood abuse, and for individuals with mental illnesses."

"When 88% of the scheduled executions have documented evidence of intellectual disability, horrific childhood abuse and mental illness, there is no defensible position that we're getting the death penalty system right in Ohio. This is the clearest evidence we've seen that death is reserved for the most vulnerable Ohioans."

Mr. Werner called on the state to put an end to the death penalty and use the savings to support the families of murder victims and prevent violent crimes.

"If executions are to continue, then Governor Kasich and the legislature must work to implement the recommendations of the Supreme Court Joint Task Force on the Administration of Ohio's Death Penalty to ensure that the system is fair, accurate, and does not target the most vulnerable of Ohio's citizens," he said.

JoEllen Smith, spokeswoman for the Department of Rehabilitation and Correction, said the ailments alleged in the report are taken into consideration through the clemency request process.

"The Ohio Parole Board takes the responsibility of the death row clemency process very seriously, and intensively and attentively considers a multitude of factors in each case," she said. "Each one of an inmate's specific impairments alleged in the report has and will be considered when the inmate's clemency application is brought before both the Parole Board and the governor."

Ohio has recently been in the spotlight after resuming the death penalty following a delay of more than three years. (See Gongwer Ohio Report, July 26, 2017)

### **Amazon, Other Projects Land State Tax Credits**

The Tax Credit Authority on Wednesday approved incentives for eight projects that are projected to spur more than \$377 million in investments and result in \$115 million in new payroll, the Development Services Agency reported.

The proposals brought forward by JobsOhio are also expected to help create 3,792 new jobs and retain 459 positions statewide, according to the state.

If the companies meet their hiring goals and other stipulations, the credits would result in nearly \$17.7 million in foregone revenue to the state, according to DSA estimates.

Among the projects are two new warehouse sites for e-commerce giant Amazon in the Village of North Randall and the City of Monroe.

Amazon is expected to create 2,000 full-time positions, generating \$55.4 million in new annual payroll by building a new warehouse on the site of a former mall in North Randall. The TCA approved a 1.35%, 10-year Job Creation Tax Credit valued at \$7.8 million for the project.

The company also recently announced the construction of a fulfillment center in a Monroe industrial park. It's expected to result in 1,000 full-time positions, generating \$26.7 million in new annual payroll. The TCA approved a 1.391%, 10-year JCTC valued at \$3.8 million for the Monroe project.

The projects will increase Amazon's presence in the state. It currently operates a fulfillment center in Etna and a distribution center in Obetz.

Other projects approved by the TCA are (Estimated foregone tax revenue):

**Synova, LLC** of Mansfield (Richland Co.) expects to create 20 full-time positions, generating \$1.5 million in new annual payroll and retaining \$853,276 in existing payroll as a result of the company's expansion project. The producer of oils and release compounds used in the commercial baking industry was awarded a 1.44 percent, six-year JCTC (\$110,000).

**Joseph Manufacturing Company, Inc.** of Youngstown (Mahoning Co.) expects to create 287 full-time positions, generating \$7.8 million in new annual payroll as a result of the company's new project. The producer of self-chilling cans, bottling and packaging for the consumer beverage market was awarded a 1.444%, eight-year JCTC (\$850,000).

**Fresh Unlimited, Inc.** of Sidney (Shelby Co.) expects to create 25 full-time positions, generating \$910,000 in new annual payroll and retaining \$17.7 million in existing payroll as a result of the company's expansion project. The fruit and vegetable processor, repacker, distributor, and logistics provider was awarded a 1.035%, five-year JCTC (\$40,000).

**Silfex, Inc.** of Springfield (Clark Co.) expects to create 400 full-time positions, generating \$20.7 million in new annual payroll as a result of the company's new project. The provider of custom silicon components and assemblies for technology markets was awarded a 2.037%, 12-year JCTC (\$4.957 million).

**Workstream, Inc.** of Fairfield (Butler Co.) expects to create 45 full-time positions, generating \$1.4 million in new annual payroll and retaining \$4.5 million in existing payroll as a result of the company's new project. The designer and manufacturer of office furniture for the commercial, educational, financial, and healthcare markets was awarded a 0.93%, five-year JCTC (\$55,000).

**Beach Communications, LLC** of Anderson Township (Hamilton Co.) expects to create 15 full-time positions, generating \$900,000 in new annual payroll and retaining \$853,890 in existing payroll as a result of the company's acquisition project. The provider of computer processing services, data hosting and cloud solutions, and general IT was awarded a 1.2%, six-year JCTC (\$55,000).

### **Pressure Mounts On Cordray To Make Political Intentions Clear; Springer Weighs Gubernatorial Bid; Gibbon Launches New Ad**

With Consumer Financial Protection Bureau Director Rich Cordray slated to speak at an AFL-CIO Labor Day picnic in Cincinnati, Republicans are ramping up their calls for him to declare his political intentions.

U.S. House Financial Services Committee Chairman Jeb Hensarling (R-Tex.) sent a letter to the Democrat asking him to confirm his intention to serve his full term leading the CFPB or provide a date of a resignation.

In the letter, Mr. Hensarling cited a recent report that Mr. Cordray is rushing to finalize new rules on high-cost loans and another in which Ohio Supreme Court Justice Bill O'Neill said a mutual friend told him that the former attorney general plans to enter the 2018 gubernatorial race.

"These reports, which have not been rebutted by the bureau, suggest that your personal political ambitions may be informing decisions you are making regarding what is supposed to be a nonpartisan and objective agency rulemaking process governed by the Administrative Procedure Act," the letter reads. "Simply put, there is no valid legal basis for accelerating a federal rulemaking to satisfy an arbitrary deadline necessitated by election dates established under Ohio law. If this is the case, it undoubtedly opens the bureau's rule up to legal challenge."

The Ohio Republican Party piled on. "Will he respond to House Financial Services Chairman Jeb Hensarling's concerns that personal political ambition is driving him to accelerate federal rulemaking to meet Ohio election deadlines, or will he continue to scheme in secret and jeopardize the integrity of the rulemaking process?" ORP asked.

**Springer Bid:** Another potential high-profile candidate is weighing an entry into the already crowded Democratic gubernatorial primary field, according to *The Cincinnati Enquirer*.

The newspaper reported that at a recent event in Cleveland, controversial talk show host Jerry Springer questioned whether it is too late to enter the race.

"Springer is talking with political consultants and polling the race but hasn't decided whether he'll enter the crowded gubernatorial field," the newspaper reported.

Across 300-plus Cities, Members of the Service Employees International Union and Fight for \$15 Movement to Declare Unions the Best Way to Fix Economic, Political Systems Rigged to Benefit Big Corporations

Later Wednesday, the Service Employees International Union said Mr. Springer will be joining them during a march in Cleveland on Labor Day. The event focuses on having a \$15 minimum wage and union rights.

"If we are to continue to be a great and prosperous country, we need to raise wages for working people and give every worker the opportunity to join a union," Mr. Springer said in a statement issued by SEIU. "We can all wave our American flags at the 7th evening stretch at every ballpark in the country, but the real way Americans can show their patriotism is by fighting for an economy and a government that helps working-class families get ahead."

"The American Dream is too far out of reach for too many working people in this country and the best thing we can do to save our free enterprise system is make sure that Unions are strong and workers are paid a living wage," Mr. Springer said.

**New Ad:** Cleveland businessman and U.S. Senate candidate Mike Gibbons has launched a new ad that will run during Ohio State's season opening football game against Indiana University.

The ad, "Serve the People of Ohio," touts the Republican's outsider status and features images of U.S. Sen Sherrod Brown (D-Cleveland) and his colleagues in the upper chamber, including Sens. Bernie Sanders (D-Vt.), Elizabeth Warren (D-Mass.) and Chuck Schumer (D-N.Y.).

"We have professional politicians who really don't even understand the issues with few exceptions," Mr. Gibbons says in the spot. "Their job becomes running for office not fixing the problems of the country. I'm going to change that. I don't care about my next time in office. I care about getting some things done. I'm going to Washington to serve the people of Ohio."

**Private Prisons:** The ACLU of Ohio is applauding a decision by the city of Cincinnati to divest pension funds from private prisons.

"For-profit prisons only create incentives for corporations to lobby for more laws to criminalize more people and feed our already bloated criminal justice system," Executive Director J. Bennett Guess said in a statement. "By taking proactive steps to divest, the Cincinnati City Council will ensure that the pension funds of hard-working city employees and retirees are not being used to perpetuate a mass incarceration scheme and human rights disaster. The ACLU of Ohio applauds Cincinnati's bold, courageous national leadership toward ending the profiteering of imprisonment."

**Outsourcing Legislation:** The Midwestern Pick-up Tour will make a stop in Dayton on Thursday in which labor leaders and others will call on U.S. Rep. Mike Turner (R-Dayton) to throw his support behind the "U.S. Call Center Worker and Consumer Protection Act," which is designed to deter companies from outsourcing call center jobs.

During the event, President Donald Trump's lack of executive action on wages and outsourcing will also be highlighted.

### **Universities Recognized For Safety; OSU Implements New Strategic Plan; Cleveland State Enrollment Increases Continue**

Four Ohio universities have been ranked among the safest campuses in the country.

The Council for Home Safety and Security this week put Kent State in the 11th spot on its top 100 list of safest colleges in America. Ohio University followed at 21, Bowling Green took the 27 spot and Miami came in at 37.

Rankings are based on data from the FBI's Uniform Crime Reporting and the National Center for Education Statistics, according to a release. More than 2,000 four-year colleges and universities were assessed for this year's list.

Kent State Police Chief Dean Tondiglia said student involvement in crime prevention programs, awareness campaigns, safety walks and physical plant reviews, helped the university police agency identify safety issues early.

He also touted Kent State's bystander intervention training and emergency exercises aimed at enhancing campus safety.

"Having a safe and inviting campus community is one of the university's priorities, and this ranking reflects the efforts of students, faculty and staff, as well as the Department of Public Safety's community partners, in meeting that goal," Chief Tondiglia said.

**Strategic Plan:** Ohio State University has a new plan for the future that aims to build on its existing strengths to continue to set records in applications, graduation rates, diversity, academics and donor support.

The Board of Trustees this week approved the plan, titled Time and Change: Enable, Empower and Inspire. It consists of five pillars: teaching and learning; access, affordability and excellence; research and creative expression; academic health care; and operational excellence and resource stewardship.

Trustees also approved university goals and fiscal year targets which align for the president's 2020 vision as well as the new strategic plan. The Fiscal Year 2018 budget provides \$6.6 billion in operating spending, which is a 5.8% increase over last year, according to OSU.

Budgeted revenue is expected to increase 2% to about \$7 billion, the university said. The growth is attributed to the Wexner Medical Center, which represents almost half of the consolidated budget.

The board at its most recent meeting also adopted 2018's capital investment program plan, which includes \$165 million in new projects to be completed over the next five years.

**Enrollment:** Cleveland State University welcomed a record 2,000 first-year students this month, marking the tenth consecutive year of enrollment growth.

"This new milestone further highlights the transformation Cleveland State has undergone over the last decade," CSU President Ronald M. Berkman said. "We are now a destination university with a growing national reputation for offering students tremendous academic quality and excellent career connections in a vibrant urban environment."

In a release, the university credited its growth to an increased focus on broadening experiential learning in the greater Cleveland area, offering more than 3,000 internship opportunities annually - more than any other public university in Ohio, according to CSU.

Cleveland State also instituted a 120-credit-hour standard that gets students to degrees quicker and offers multi-term registration to allow for better planning.

As a result of the increased interest in CSU, its leaders have said they are investigating potential options to construct more freshman housing and additional green spaces.

"The model of higher education for the past several decades no longer meets the needs of the modern college student," Mr. Berkman said. "Universities must innovate, adapt and develop a new educational paradigm that can assist today's students in thriving academically, socially and ultimately in a career of their choice. At CSU we have placed a premium on student success because when our students excel we excel."

### **Kasich Health Care Proposal With Colorado Gov. Coming Thursday; STRS Investment Returns Strong...**

Gov. John Kasich said Wednesday that the plan he and Colorado Gov. John Hickenlooper have been working on to stabilize insurance markets will be released Thursday.

Speaking at a Statehouse news conference on new opiate prescribing rules (*see separate story*), the governor said there are still states reviewing the plan to decide if they want to sign on. About a dozen states are looking at the plan, he said. (See Gongwer Ohio Report, August 23, 2017)

"I believe that the plan that John and I have put together can satisfy those who want to look at the current Obamacare and even want to make it tougher, but can accommodate those states that seek their own way," he said.



The plan the two governors have put together does not deal with Medicaid. It's designed to help stabilize insurance markets, he said.

"I think we have a very solid plan that can be instructive in helping us stabilize the insurance markets," he said. "The markets are collapsing."

Gov. Kasich said the federal government might need to look at entitlement programs such as Medicaid as Congress deals with the debt ceiling later this year.

"I believe that the members of the Congress, on a bipartisan basis, should demand that they have an opportunity to propose entitlement reform," he said.

One change he said the federal government should consider is moving the default system for new Medicare enrollees from fee-for-service to managed care.

**STRS Investment Returns:** The State Teachers Retirement System reported an investment return of 14.29% for Fiscal Year 2017, beating the total fund benchmark by 0.63%.

STRS reported that its active management of funds added about \$400 million in value after investment costs for the year, leaving total assets of \$75.1 billion as of June 30.

The fund had a 22.2% return on international investments, compared to a benchmark of 21.6%, and a 19.6% return on domestic equities, compared to a benchmark of 18.5%, the system reported.

Investment consultants said the year's returns showed solid growth, but they predicted lower returns over the next several years.

Actuarial consultant Segal Consulting will present its annual pension valuation report to the STRS Board in October, the system said, showing the financial effect of the investment return, cost-of-living reduction and other factors.

"The report is expected to reflect that fiscal 2017 was a favorable financial year for STRS Ohio," the system said.

The board also reported continuing to study options to extend the life of the health care fund, which has a balance of about \$3.2 billion and is estimated to be solvent for about 18 years.

"The board is reviewing cost models that cap subsidy increases in order to extend the life of the fund," STRS said. "Long-term costs are expected to grow for all enrollees, and most of the cost models maintain a higher premium subsidy percentage for Medicare enrollees than for non-Medicare enrollees."

The system also reported that its operating expenditures came in \$340,000 below budget in the fiscal year, at about \$96.5 million.

**Health Transparency Resource:** The Health Policy Institute of Ohio announced it updated its health care cost and transparency resource page, which includes federal, state and local health care cost and quality data sets and tools.

The page also includes information on organizations that set health care quality standards, and information from HPIO research on health care cost transparency.

The resource also contains information about Ohio's health care transparency policies and legislation.

### **Attorney General's Opinion**

No. 2017027. Requested by Union County Prosecuting Attorney David W. Phillips.  
SYLLABUS:

1. Pursuant to R.C. 2317.02(B)(2)(a), a county hospital organized under R.C. Chapter 339 is required to disclose to a law enforcement officer that requests records in accordance with R.C. 2317.02(B)(2)(a) and R.C. 2317.022 "copies of any records ... that pertain to any test ... administered to" a person "to determine the presence ... of [drugs or alcohol] in the person's [body]" that is relevant to a criminal offense for which the person is being investigated or prosecuted, "except to the extent specifically prohibited by any law of this state or of the United States." The disclosure of such records does not violate the physician-patient privilege in R.C. 2317.02(B)(1) even though the records reveal information that constitutes a communication between a patient and a physician, advanced practice registered nurse, or dentist within the meaning of R.C. 2317.02(B)(1).

2. Pursuant to R.C. 4765.06(A), a county hospital organized under R.C. Chapter 339 that is an "emergency medical service organization," as defined in R.C. 4765.01(H), is required to submit to the State Board of Emergency Medical, Fire, and Transportation Services "any information that the board determines is necessary for maintaining the incidence reporting system" created by the Board pursuant to R.C. 4765.06(A). The disclosure of information by a county hospital pursuant to R.C. 4765.06(A) does not violate the physician-patient privilege in R.C. 2317.02(B)(1) even though the disclosed information contains a communication between a patient and a physician, advanced practice registered nurse, or dentist within the meaning of R.C. 2317.02(B)(1).

### **Governor's Appointments**

**Radiation Advisory Board:** Douglas S. Fisher, DPM, BS, of Lancaster for a term beginning August 29, 2017, and ending September 6, 2018.

**Bowling Green State University Board of Trustees:** Drew C. Forhan of Hudson for a term beginning August 30, 2017, and ending May 17, 2026.

**Ohio Retirement Study Council:** Christopher R. Potts of Upper Arlington for a term beginning August 30, 2017, and ending June 30, 2020.

### **Supplemental Event Planner**

#### **Tuesday, September 12**

Rep. Richard Brown (D-Canal Winchester) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5:30 p.m., (Sponsor levels: Sponsor \$1000, Host \$500, Friend \$350, Individual \$100 to Citizens for Richard Brown)

#### **Wednesday, September 13**

Ohio House Democratic Caucus welcome reception, Dempsey's Food & Spirits, 346 S. High Street, Columbus, 5:30 p.m.

#### **Thursday, September 14**

Rep. Bill Seitz (R-Cincinnati) fundraiser, Western Hills Country Club, 5780 Cleves-Warsaw Pike, Cincinnati, 5:30 p.m., (Special Guest Lt. Gov. Mary Taylor. Majority Leader Supporter: \$1,000; Super Supporter: \$500 to Seitz for Ohio)

#### **Wednesday, September 20**

Rep. Nickie Antonio (D-Lakewood) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5:30 p.m., (Sponsor levels: Sponsor \$1000, Host \$500, Friend \$350 to Friends of Nickie J. Antonio)

#### **Thursday, September 28**

Drug-Free Workforce Community Initiative news conference, Statehouse Atrium, Columbus, 9 a.m.

#### **Tuesday, October 10**

Rep. Thomas West (D-Canton) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5:30 p.m., (Sponsor levels: Sponsor \$1000, Host \$500, Friend \$350 to Team West)

#### **Wednesday, October 11**

House Minority Leader Fred Strahorn (D-Dayton) fundraiser, Elevator Brewery and Draught Haus, 161 N. High St., Columbus, 5 p.m., (Sponsor levels: Sponsor \$1000, Host \$500, Friend \$350 to Committee to Elect Fred Strahorn)

Rep. Tim Ginter (R-Salem) fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Special Guest Former Speaker Bill Batchelder. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Tim Ginter for State Representative)

17 S. High St., Suite 630

Columbus Ohio 43215

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Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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## House Activity for Wednesday, August 30, 2017

### INTRODUCED

**HB 329** ■ **PYRAMID SCHEMES (Pelanda, D.)** To modify the law governing pyramid promotional schemes. Am. 1333.91, 1333.92, and 1333.93

**HB 330** ■ **ROAD NAMING (Rogers, J.)** To designate a portion of State Route 91 in Willoughby as the "Patrolman Jason Gresko Memorial Highway." Am. 5534.494

**HB 331** ■ **ACCIDENT REPORTS (Ingram, C.)** To prohibit the use of information obtained from an accident report by any person for commercial solicitation purposes. Am. 5502.12

**HB 332** ■ **ANATOMICAL GIFTS (Antani, N.)** Regarding anatomical gifts, transplantation, and discrimination on the basis of disability. Am. 2108.36, 2108.37, and 2108.38

**HB 333** ■ **TAX RETURNS (Becker, J., Leland, D.)** To allow married couples to elect to file either separate state tax returns or a joint state return, irrespective of their federal filing status. Am. 5747.08

**HB 334** ■ **BUSINESS INCOME (Scherer, G.)** To provide that wages and guaranteed payments paid by a professional employer organization to the owner of a pass-through entity that has contracted with the organization may be considered business income. Am. 5733.40

### HOUSE SPEAKER'S APPOINTMENTS

Ohio Family Stability Commission: Reps. Koehler and Boyd.

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Jon Reed, Staff Writers

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## **Daily Activity Planner for Thursday, August 31**

### **Legislative Committees**

No legislative committees scheduled.

### **Agency Calendar**

No agency meetings scheduled.

### **Event Planner**

**Sen. Bill Beagle (R-Tipp City) & Sen. Bob Peterson (R-Sabina) fundraiser, Muirfield Village Country Club, 8715 Memorial Drive, Dublin, 8:30 a.m., (\$500 each committee to Citizens for Bill Beagle and Peterson for Good Government)**  
**Sen. Gayle Manning (R-N. Ridgeville) fundraiser, Willoway Nursery, 4535 Center Rd. (Route 83), Avon, 5:30 p.m., (\$500 Lilac Sponsor - includes 6 tickets; \$400 Hydrangea Sponsor - includes 4 tickets; \$200 Rose Sponsor - includes 2 tickets; \$125 per Couple | \$75 per Person to Committee to Elect Manning)**

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**From:** Westlake, Libby  
**Sent:** Thursday, August 31, 2017 9:01 AM  
**To:** Westlake, Libby  
**Subject:** E-Clips for 8/31/2017

## HOUSE E-CLIPS

8/31/2017

**AP** Associated Press

### **LAWMAKER, CONSUMER CHIEF SPAR OVER 'POLITICAL AMBITIONS'**

A fierce Republican critic of the Consumer Financial Protection Bureau is pressing the agency's Democratic chief to announce his intentions in next year's race for Ohio governor.

### **FENTANYL DRIVES ANOTHER RECORD YEAR OF OHIO OVERDOSE DEATHS**

An average of 11 people died each day of drug overdoses last year in Ohio, officials said Wednesday as they reported yet another grim milestone in the state's addictions epidemic.

**The Columbus Dispatch**  
*Ohio's Greatest Online Newspaper*

### **OHIO RECORDS 4,050 DRUG DEATHS, UP 33 PERCENT FROM 2015**

Fatal drug overdoses keep spiraling in Ohio, with the powerful opioid fentanyl fueling a record 4,050 deaths last year — 1,000 more than in 2015.

### **CORDRAY KEEPS MUM ON OHIO GOVERNOR BID**

Former Ohio Attorney General Richard Cordray on Wednesday tartly dismissed Republican calls to declare whether he would run for governor next year, telling a House GOP committee chairman that he has no more news on the subject.

### **KASICH HOPES PAIN-PILL LIMITS WILL REDUCE OPIOID ADDICTION**

Ohioans and their medical-care providers face stricter limits on pain-pill prescriptions beginning Thursday as the state seeks to choke off abuse leading to opioid addiction.

### **REPUBLICAN MIKE GIBBONS TO AIR FIRST TV ADS OF OHIO'S US SENATE**

#### **RACE**

In an attempt to raise his visibility, Cleveland banker Mike Gibbons plans to air the first television ad of the 2018 U.S. Senate race during the opener of the Ohio State football season Thursday.

### **JERRY SPRINGER SAID TO BE TESTING RUN FOR OHIO GOVERNOR**



TV talk-show host Jerry Springer is seriously assessing a run for the Democratic nomination for Ohio governor and soon will decide, said two state legislators who met with him last Thursday.

### **SUTTON ANNOUNCES NEW DEPARTMENT TO CREATE JOBS**

Democratic gubernatorial candidate Betty Sutton on Tuesday unveiled a plan to create a new state agency aimed at spurring the creation of well-paying jobs.

## **Dayton Daily News**

[www.daytondailynews.com](http://www.daytondailynews.com)

### **STRICT RULES IN OHIO PROGRAM DENY PAYOUTS TO THOUSANDS OF VICTIMS**

An Ohio program that compensates crime victims rejects thousands of applicants each year — including victims of rape and assault and the families of those murdered — because of strict rules that disqualify people for reasons that include criminal or drug histories.

### **DRUG OVERDOSE DEATHS JUMP 33% IN OHIO**

Accidental drug overdoses killed 4,050 Ohioans in 2016, a 33 percent increase over the 3,050 fatal overdoses in 2015, according to a report released Wednesday by the state Department of Health.

### **MENTALLY ILL INMATES SET TO BE EXECUTED IN OHIO, GROUP SAYS**

Ohio is planning to execute nearly two dozen men who have suffered childhood trauma, serious mental illness and intellectual impairment, according to the Fair Punishment Project at Harvard University.

### **OHIO TO START NEW LIMITS ON PAINKILLER PRESCRIPTIONS THURSDAY**

Starting Thursday, patients coming off an injury or minor surgery will face strict limits in how many opiates they can be prescribed for their acute pain and doctors who ignore the new rules could face sanctions, state officials warned Wednesday.

## **THE PLAIN DEALER**

### **ECOT SPONSOR WILL PAY BACK MONEY OVER TIME, JUST LIKE THE SCHOOL**

The sponsor of the controversial ECOT online school will repay money the state says it owes — just over time, like the school will.

### **NEW RULES LIMIT OPIOID PRESCRIPTIONS IN OHIO**

Ohio doctors can prescribe only seven days of opioids for adults in acute pain, under new rules that begin Thursday. Children are limited to five days.

### **JERRY SPRINGER TESTS THE WATERS IN CLEVELAND FOR GOVERNOR BID**

Former Cincinnati Mayor and famed television talk show host Jerry Springer is still testing the waters of a potential bid for Ohio governor.

### **OVER 4,000 OHIOANS DIED OF DRUG OVERDOSES IN 2016, A 33 PERCENT INCREASE**

Last year, 4,050 Ohio residents died of unintentional drug overdoses, up 32.8 percent from 2015, according to a state report released Wednesday.

### **RICHARD CORDRAY TO RANKING CRITIC: BUZZ OFF (BUT IN NICER LANGUAGE)**

To the pressing question of whether Richard Cordray will serve out his full term or resign to run for Ohio governor, he provided an answer today: "At this time I have no further insights to provide on the subject."

### **RETIRING OHIO JUDGE SAYS HER APPEALS COURT SEAT IS NOT NEEDED, SHOULD BE ELIMINATED**

A state appeals court judge is looking to go out with a bang - urging that when she retires in 2019, the state eliminate her judicial seat.

### **PRO-HUSTED SUPER PAC LAUNCHING STATEWIDE TV AD BUY DURING OHIO STATE UNIVERSITY FOOTBALL GAME**

A Super PAC supporting Republican Ohio Secretary of State Jon Husted is launching the first major TV ad buy of the 2018 governor's race.

### **COREY LEWANDOWSKI HELPED JOSH MANDEL THIS WEEK, AS THE 'I'M-WITH-TRUMP' RACE CONTINUES**

If the prize was the Trump mantle, Josh Mandel might have won this week's political round - although a competitor with Trump credentials disputes that.

### **JERRY SPRINGER SEEKING ADVICE ABOUT POSSIBLE RUN FOR OHIO GOVERNOR: OHIO POLITICS ROUNDUP**

Jerry Springer is seeking advice about a possible run for Ohio governor. And Ohioans are weighing in on President Donald Trump's Department of Labor overtime policies.

## **THE ENQUIRER**

### **OHIO DRUG OVERDOSE DEATHS MORE THAN DOUBLE, THANKS TO FENTANYL**

Fentanyl and related potent opioids were involved in more than half of the 4,050 drug overdose deaths in Ohio last year, according to a new report by the Ohio Department of Health.

### **SHOULD CINCINNATI INVEST IN PRIVATE PRISONS?**

Cincinnati's pension system has at least \$2.5 million invested in a company connected with private prisons, and some city leaders said that money should not support an "immoral" system.

### **YES, JERRY SPRINGER IS 'CONSIDERING' A RUN FOR OHIO GOVERNOR**

Jerry Springer is considering a run for Ohio governor after all, one of his closest friends told The Enquirer Wednesday.

**From:** Ciara.Price@ohiohouse.gov [mailto:Ciara.Price@ohiohouse.gov]

**Sent:** Friday, September 1, 2017 11:40 AM

**To:** Rep76@ohiohouse.gov

**Subject:** Palliative Care Stakeholder Feedback

Hello All –

Representative LaTourette appreciates all of the written feedback she has received on House Bill 286. Below, you will find the recommended additions to the council's make-up, the items she would like to incorporate in the substitute bill, and the items she is uncertain about including. If you have any feedback on any of these items, please submit to our office by the close of business on **Friday, September 8<sup>th</sup>**.

Suggested additions to the Council's make-up are as follows: a board certified pediatrician, a child life specialist, a marriage and family therapist, representation from the health insurance sector, a psychiatrist and a psychologist. If each mandated membership spot on the council is filled, that brings the minimum total to 16 members. **Would a maximum number of members of the Council be beneficial to add to the bill?**

Because hospitals are listed among the health care facilities to which this bill applies, we believe it is imperative to have **at least two hospital representatives on the council, specifically one member from a small and rural hospital and one from an urban hospital or health system.**

- We request you add language to specify that the director of health, with the advice and consent of the Ohio Hospital Association, shall appoint at least two hospital representatives to the council:
  1. An administrator or clinician from a small and rural hospital; AND
  2. An administrator or clinician from an urban hospital or health system.
    - *Note: These individuals could be among the physicians, PA's or APNs currently listed in the bill but their primary employer should be a hospital.*

Items for inclusion:

- Require the Palliative Care and Quality of Life Interdisciplinary Council to submit an annual report of recommendations to the General Assembly, Governor and Cabinet members.
  - OHA agrees that requiring the Council to submit an annual report of recommendations to the General Assembly, Governor and Cabinet members is an important preliminary step in determining the most

appropriate and effective steps for expanding palliative care in the state. We suggest limiting the legislation to create the council and the consumer/professional information and education program and using the Council's findings to help chart the best course forward.

- Adjust the definition of palliative care to: "specialized medical care for people living with serious illness. It focuses on providing relief from the symptoms, stress, and suffering of a serious illness. The goal is to improve quality of life for both the patient and the family by addressing an individual's physical, emotional, social, and spiritual needs. Palliative Care facilitates patient's autonomy, access to information, and medical decision guidance. Palliative care is provided by a team of doctors, nurses, social workers and/or others who work in conjunction with a patient's other healthcare providers. It is appropriate at any age and at any stage in a serious illness and can be provided along with curative treatment."
- While we support the use of the nationally-recognized definition of palliative care for clarity and consistency in discussions and among stakeholders, it is important to note this definition explicitly states palliative care is provided by a team of doctors, nurses and social workers and/or others who work in conjunction with a patient's other health care providers.
- As we have stated previously, palliative care is a new paradigm and medical specialty for which specialized training and certification has only recently been formalized. Some hospitals do not have the resources or specially-trained personnel to sustain such models and we feel that requiring health care facilities to direct more patients to palliative care without addressing the critical shortage of certified and specialized palliative care practitioners is a serious concern. Referring patients to palliative care without having a facility or program set up for patients to receive such care would negatively affect patient outcomes and satisfaction.
- Include expertise in "home-based palliative care," on the council.
- Include language to allow the Ohio Department of Health, at the direction of the Council to look for external funding sources to be used toward the council's educational programming.
- Remove "with a serious illness" from line 126 and replace with "who could benefit from palliative care."

Items for possible inclusion:

- In lines 48-50, change the board-certification language for physicians to be members of the Council to “at least two members shall be physicians who are board-certified in hospice ~~or~~ and palliative care.”
- Add line to the bill that states: “nothing in this chapter shall be interpreted to mean that palliative care can be provided only as a component of a hospice care program or pediatric respite care program.”
- Remove barrier to care at hospice facilities for non-hospice patients by including the following language: “Sec. 3712.063 Notwithstanding any provision of this chapter specifying that a hospice care program may provide care and services only to hospice patients, a hospice care program licensed under section 3712.04 of the Revised Code that operates an inpatient facility or unit, in which services described in division (A) of section 3712.01 of the Revised Code are provided, may provide palliative care to any patient.”
- Include language which would encourage the appointing authorities of the board to seek diverse representation on the board by the following language: “In appointing members to the board, the appointing authorities shall attempt to include members representing urban and rural areas, various geographical areas of the state, and various schools of training. The appointing authorities shall coordinate appointments so that no two members are employed by or practice at the same facility or emergency medical service organization.”
  - We agree it is important to include this provision to seek diverse representation on the board. However, **we suggest replacing the highlighted portion above to say, “representing underserved areas.”** As we have learned from our diverse membership, rural hospitals are not the only facilities facing challenges related to the availability of palliative care services.
- Add guidelines for the Council to identify national organizations that provide current standards of practice and best practice models of care; identify initiatives to incentivize behaviors that enhance the use and development of the integration of palliative care within the healthcare environment; identify parameters or guidance around who could benefit from palliative care and what are appropriate services.

Thank you!

Ciara Price  
 Legislative Aide  
 State Representative Sarah LaTourette  
 House District 76  
 77 South High Street, 14th Floor | Columbus, Ohio 43215  
 Office: (614)644-5088 | Cell: (614)395-2158  
[Ciara.price@ohiohouse.gov](mailto:Ciara.price@ohiohouse.gov)

**From:** Katelyn Bowling  
**Sent:** Monday, September 11, 2017 1:38 PM  
**To:** Price, Ciara  
**Subject:** FW: Palliative Care Stakeholder Feedback - Ohio Hospital Association

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Ciara,

Thank you for looking into these times. Unfortunately, I cannot make Thursday of this week work, but Tuesday, Sept. 19 would be great. We can do a late lunch, or we can just meet in her office. Just let me know which she prefers. Anytime between 12:30 and 2:30 will work.

My colleague Kate Huffman also will be attending the meeting.

Thank you,

Katelyn

---

**From:** Ciara.Price@ohiohouse.gov [mailto:Ciara.Price@ohiohouse.gov]  
**Sent:** Monday, September 11, 2017 12:26 PM  
**To:** Katelyn Bowling  
**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

Hi Katelyn,

Rep. LaTourette has had some time open up this Thursday from 9 am until 10 am. Does that work for a meeting?

If not, here are two other dates:  
Tuesday, September 19<sup>th</sup> from 12:30 pm to 2:30 pm  
Tuesday, September 26<sup>th</sup> from 12:30 pm until 3 pm

Best,

Ciara Price  
Legislative Aide  
State Representative Sarah LaTourette  
House District 76  
77 South High Street, 14th Floor | Columbus, Ohio 43215

Office: (614)644-5088 | Cell: (614)395-2158  
[Ciara.price@ohiohouse.gov](mailto:Ciara.price@ohiohouse.gov)

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**From:** Katelyn Bowling [<mailto:Katelyn.Bowling@ohiohospitals.org>]  
**Sent:** Monday, September 11, 2017 10:54 AM  
**To:** Price, Ciara <[Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov)>  
**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

Thank you, Ciara!

---

**From:** [Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov) [<mailto:Ciara.Price@ohiohouse.gov>]  
**Sent:** Friday, September 8, 2017 5:00 PM  
**To:** Katelyn Bowling <[Katelyn.Bowling@ohiohospitals.org](mailto:Katelyn.Bowling@ohiohospitals.org)>  
**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

Thank you, Katelyn for sending this our way!

I'll send you some times next week for when Rep. LaTourette is available to meet.

Best,

Ciara Price  
Legislative Aide  
State Representative Sarah LaTourette  
House District 76  
77 South High Street, 14th Floor | Columbus, Ohio 43215  
Office: (614)644-5088 | Cell: (614)395-2158  
[Ciara.price@ohiohouse.gov](mailto:Ciara.price@ohiohouse.gov)

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**From:** Katelyn Bowling [<mailto:Katelyn.Bowling@ohiohospitals.org>]  
**Sent:** Friday, September 08, 2017 10:43 AM  
**To:** Rep76 <[Rep76@ohiohouse.gov](mailto:Rep76@ohiohouse.gov)>  
**Cc:** Price, Ciara <[Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov)>  
**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

Hello Representative,

I hope you had a nice Labor Day weekend! We appreciate this additional opportunity to provide feedback on H.B. 286. Thank you for including OHA in these discussions.

I have incorporated our comments into Ciara's original email below. Our comments are in blue font. I also would like to set up a time for us to discuss in person—I will work with Ciara to do so.

If you have any questions in the meantime, please feel free to contact me.

Thank you!

Katelyn

**Katelyn Bowling | Manager, Advocacy and Public Affairs**  
**[Katelyn.Bowling@ohiohospitals.org](mailto:Katelyn.Bowling@ohiohospitals.org)**



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Mission: OHA exists to collaborate with member hospitals and health systems to ensure a healthy Ohio.

Connect with OHA:



---

**From:** [Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov) [mailto:[Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov)]

**Sent:** Friday, September 1, 2017 11:40 AM

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**Subject:** Palliative Care Stakeholder Feedback

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and medical decision guidance. Palliative care is provided by a team of doctors, nurses, social workers and/or others who work in conjunction with a patient's other healthcare providers. It is appropriate at any age and at any stage in a serious illness and can be provided along with curative treatment."

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  - Include language to allow the Ohio Department of Health, at the direction of the Council to look for external funding sources to be used toward the council's educational programming.
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Items for possible inclusion:

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- Add line to the bill that states: "nothing in this chapter shall be interpreted to mean that palliative care can be provided only as a component of a hospice care program or pediatric respite care program."
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Thank you!

Ciara Price  
Legislative Aide  
State Representative Sarah LaTourette  
House District 76  
77 South High Street, 14th Floor | Columbus, Ohio 43215  
Office: (614)644-5088 | Cell: (614)395-2158  
[Ciara.price@ohiohouse.gov](mailto:Ciara.price@ohiohouse.gov)

**From:** Price, Ciara  
**Sent:** Friday, September 8, 2017 5:00 PM  
**To:** 'Katelyn Bowling'  
**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

Thank you, Katelyn for sending this our way!

I'll send you some times next week for when Rep. LaTourette is available to meet.

Best,

*Ciara Price*

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State Representative Sarah LaTourette  
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[Ciara.price@ohiohouse.gov](mailto:Ciara.price@ohiohouse.gov)

---

**From:** Katelyn Bowling [mailto:Katelyn.Bowling@ohiohospitals.org]  
**Sent:** Friday, September 08, 2017 10:43 AM  
**To:** Rep76 <Rep76@ohiohouse.gov>  
**Cc:** Price, Ciara <Ciara.Price@ohiohouse.gov>  
**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

Hello Representative,

I hope you had a nice Labor Day weekend! We appreciate this additional opportunity to provide feedback on H.B. 286. Thank you for including OHA in these discussions.

I have incorporated our comments into Ciara's original email below. Our comments are in blue font. I also would like to set up a time for us to discuss in person—I will work with Ciara to do so.

If you have any questions in the meantime, please feel free to contact me.

Thank you!

Katelyn

Katelyn Bowling | Manager, Advocacy and Public Affairs  
[Katelyn.Bowling@ohiohospitals.org](mailto:Katelyn.Bowling@ohiohospitals.org)



155 E. Broad St., Suite 301  
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Mission: OHA exists to collaborate with member hospitals and health systems to ensure a healthy Ohio.

Connect with OHA:



**From:** [Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov) [mailto:[Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov)]

**Sent:** Friday, September 1, 2017 11:40 AM

**To:** [Rep76@ohiohouse.gov](mailto:Rep76@ohiohouse.gov)

**Subject:** Palliative Care Stakeholder Feedback

Hello All –

Representative LaTourette appreciates all of the written feedback she has received on House Bill 286. Below, you will find the recommended additions to the council's make-up, the items she would like to incorporate in the substitute bill, and the items she is uncertain about including. If you have any feedback on any of these items, please submit to our office by the close of business on **Friday, September 8<sup>th</sup>**.

Suggested additions to the Council's make-up are as follows: a board certified pediatrician, a child life specialist, a marriage and family therapist, representation from the health insurance sector, a psychiatrist and a psychologist. If each mandated membership spot on the council is filled, that brings the minimum total to 16 members. **Would a maximum number of members of the Council be beneficial to add to the bill?**

Because hospitals are listed among the health care facilities to which this bill applies, we believe it is imperative to have **at least two hospital representatives on the council, specifically one member from a small and rural hospital and one from an urban hospital or health system.**

- We request you add language to specify that the director of health, with the advice and consent of the Ohio Hospital Association, shall appoint at least two hospital representatives to the council:
  1. An administrator or clinician from a small and rural hospital; AND
  2. An administrator or clinician from an urban hospital or health system.
    - *Note: These individuals could be among the physicians, PA's or APNs currently listed in the bill but their primary employer should be a hospital.*

Items for inclusion:

- Require the Palliative Care and Quality of Life Interdisciplinary Council to submit an annual report of recommendations to the General Assembly, Governor and Cabinet members.
  - OHA agrees that requiring the Council to submit an annual report of recommendations to the General Assembly, Governor and Cabinet members is an important preliminary step in determining the most appropriate and effective steps for expanding palliative care in the state. We suggest limiting the legislation to create the council and the consumer/professional information and education program and using the Council's findings to help chart the best course forward.
- Adjust the definition of palliative care to: "specialized medical care for people living with serious illness. It focuses on providing relief from the symptoms, stress, and suffering of a serious illness. The goal is to improve quality of life for both the patient and the family by addressing an individual's physical, emotional, social, and spiritual needs. Palliative Care facilitates patient's autonomy, access to information, and medical decision guidance. Palliative care is provided by a team of doctors, nurses, social workers and/or others who work in conjunction with a patient's other healthcare providers. It is appropriate at any age and at any stage in a serious illness and can be provided along with curative treatment."
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  - As we have stated previously, palliative care is a new paradigm and medical specialty for which specialized training and certification has only recently been formalized. Some hospitals do not have the resources or specially-trained personnel to sustain such models and

we feel that requiring health care facilities to direct more patients to palliative care without addressing the critical shortage of certified and specialized palliative care practitioners is a serious concern. Referring patients to palliative care without having a facility or program set up for patients to receive such care would negatively affect patient outcomes and satisfaction.

- Include expertise in "home-based palliative care," on the council.
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Thank you!

*Ciara Price*

Legislative Aide

State Representative Sarah LaTourette

House District 76

77 South High Street, 14th Floor | Columbus, Ohio 43215

Office: (614)644-5088 | Cell: (614)395-2158

[Ciara.price@ohiohouse.gov](mailto:Ciara.price@ohiohouse.gov)



**From:** Price, Ciara  
**Sent:** Monday, September 11, 2017 12:26 PM  
**To:** 'Katelyn Bowling'  
**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

---

Hi Katelyn,

Rep. LaTourette has had some time open up this Thursday from 9 am until 10 am. Does that work for a meeting?

If not, here are two other dates:  
Tuesday, September 19<sup>th</sup> from 12:30 pm to 2:30 pm  
Tuesday, September 26<sup>th</sup> from 12:30 pm until 3 pm

Best,

*Ciara Price*

Legislative Aide  
State Representative Sarah LaTourette  
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Office: (614)644-5088 | Cell: (614)395-2158  
[Ciara.price@ohiohouse.gov](mailto:Ciara.price@ohiohouse.gov)

---

**From:** Katelyn Bowling [mailto:[Katelyn.Bowling@ohiohospitals.org](mailto:Katelyn.Bowling@ohiohospitals.org)]  
**Sent:** Monday, September 11, 2017 10:54 AM  
**To:** Price, Ciara <[Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov)>  
**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

Thank you, Ciara!

---

**From:** [Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov) [mailto:[Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov)]  
**Sent:** Friday, September 8, 2017 5:00 PM  
**To:** Katelyn Bowling <[Katelyn.Bowling@ohiohospitals.org](mailto:Katelyn.Bowling@ohiohospitals.org)>  
**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

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**Sent:** Friday, September 08, 2017 10:43 AM

**To:** Rep76 <[Rep76@ohiohouse.gov](mailto:Rep76@ohiohouse.gov)>

**Cc:** Price, Ciara <[Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov)>

**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

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Thank you!

Katelyn

**Katelyn Bowling | Manager, Advocacy and Public Affairs**

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**To:** [Rep76@ohiohouse.gov](mailto:Rep76@ohiohouse.gov)

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Legislative Aide

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Office: (614)644-5088 | Cell: (614)395-2158

[Ciara.price@ohiohouse.gov](mailto:Ciara.price@ohiohouse.gov)

**From:** Max Behlke

**Sent:** Monday, September 11, 2017 6:16 PM

**To:** Rep76

**Subject:** NCSL Capitol to Capitol: Surprise Deal Shifts September Strategy in Washington

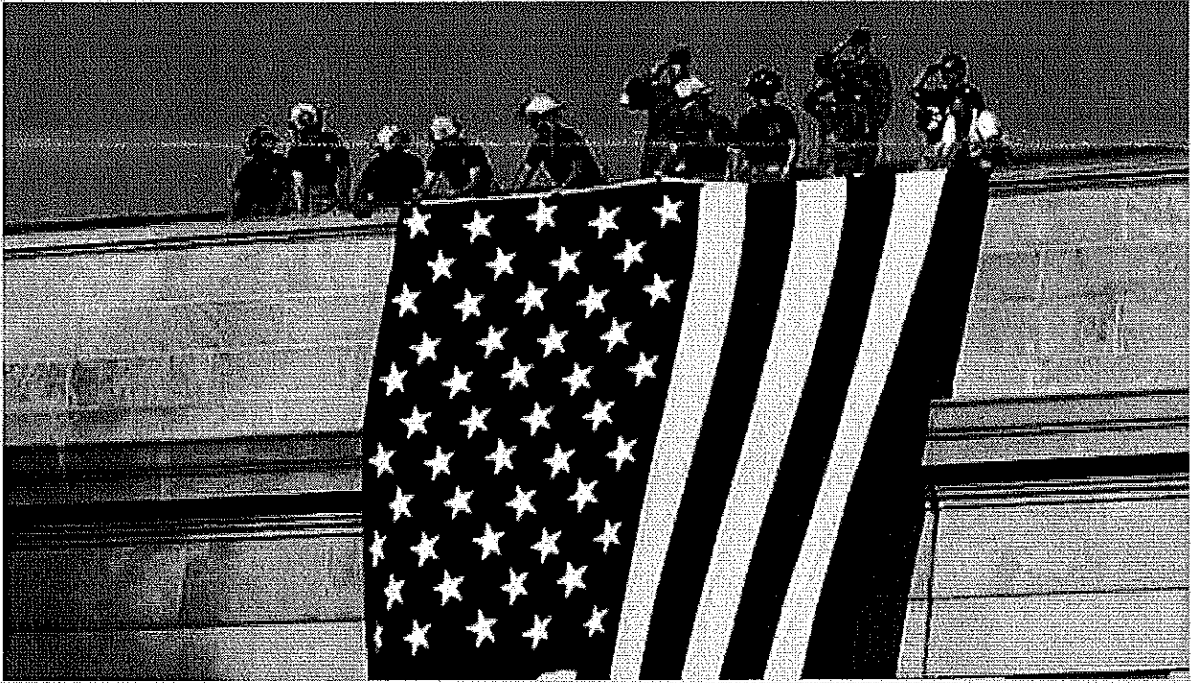
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# Capitol to Capitol

NATIONAL CONFERENCE of STATE LEGISLATURES



"One of the worst days in America's history saw some of the bravest acts in Americans' history. We'll always honor the heroes of 9/11. And here at this hallowed place, we pledge that we will never forget their sacrifice."

—President George W. Bush at the Pentagon in 2008

**Sept. 11, 2017**

### **Surprise Deal Shifts September Strategy in Washington**

On Friday evening, President Donald Trump signed H.R. 601 into law, legislation that suspended the debt ceiling until December, extends the National Flood Insurance Program (NFIP) and will keep the government funded through Dec. 8, and provided the first of what is expected to be several installments of financial aid for disaster recovery for hurricanes Harvey and Irma. While the deal will clear policy obstacles for Republican leaders on Capitol Hill to focus on other priorities as a possible government shutdown or government default has been delayed, they were not cheering the legislation the president signed into law. The legislation, which the president believed had more merits than the alternatives, was proposed by Democratic leaders Representative Nancy Pelosi and Senator Chuck Schumer, not Speaker Paul Ryan or Senate Majority Leader Mitch McConnell. The deal caught Republicans off guard and has, for at least the time being, emboldened



Democrats who, for the first time in the Trump presidency, see room to work with the president on key policy initiatives and spending priorities.

Deal aside, only 44 legislative days remain on the House calendar in 2017, which means that Republican leaders cannot afford to waste precious time if they want to accomplish major policy initiatives, such as tax reform, this year. However, the deal that Trump struck with the Democrats last week over the objections of the Republican leaders means Congress will have to reserve time the first week of December, if not sooner, to pass a new spending package to keep the government open. And, the destruction inflicted by Hurricane Irma will force Congress to consider spending even more on disaster relief this year.

Delaying the budget fight until December poses two key problems for tax reform this year: 1) the inevitable budget fight will lead to legislation that will almost certainly require Democratic votes for passage, giving the minority party enormous leverage and bargaining power on Capitol Hill, and 2) the tax legislation would be considered at the same time as the nation's borrowing limit will be reinstated, meaning Republicans will be trying to enact their tax cuts at the same time they need to approve more federal borrowing, a contradiction that will not be lost on many fiscal conservatives. Moreover, Congress has yet to pass a FY 2018 budget resolution, which is necessary if Republicans want to be able to pass tax reform through the Senate without the votes of at least eight Democrats. Given these obstacles, enacting comprehensive tax reform this year will be no small feat. If it is delayed until 2018, the chances of passage will continue to dwindle as the midterm elections near and congressional campaigns ramp up.

**NCSL Contacts:** [Max Behlke](#), [Jake Lestock](#), [Ethan Wilson](#) (NFIP)

**DYK?** On this day in 1941, ground was broken for the construction of the Pentagon. On Sept. 11, 2001, exactly 60 years after the building's construction began, American Airlines Flight 77 was hijacked and flown into the western side of the building. #NeverForget

**DYK?** Since the early 1800s, Kentucky had a problem with dueling. In fact, Henry Clay, who served in Congress from the state, fought in (and won) two duels. So, when the state's constitution was ratified in 1891, it included a provision that to this day requires every legislator, public officer and member of the bar to take an oath stating that, among other things, "[I] have not fought a duel with deadly weapons within this state nor out of it, nor have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I acted as second in carrying a challenge, nor aided or assisted any person thus offending, so help me God."

- Courtesy of NCSL Staff Chair Chuck Truesdell, Kentucky Legislative Research Commission

Have any trivia about your state? [Let us know here](#) and we might include it in a future edition of Capitol to Capitol!

### **Senate Appropriations Committee Passes 2018 Education Spending Legislation**

The Senate Appropriations Committee on Thursday voted 29-to-2 to pass SB 1771, the Labor, Health and Human Services and Education Appropriations Bill for FY 2018. The bill would increase overall spending for the Department of Education by \$29 million over FY 2017 levels for a total of \$68.3 billion. The legislation differs in some ways from both the version that passed the House Appropriations Committee in July (HR 3358) and the administration's 2018 budget request. The House version allocates \$66 billion for the department while the administration's proposal provides \$59 billion. The administration's request sought an additional \$1 billion in Title I funds that would be used specifically for the creation or expansion of public school choice programs as well as an allocation of \$400 million to expand charter schools and private school vouchers. The Senate bill does provide a \$25 million increase to charter schools, and also provides an additional \$25 million to Title I funds, but does not designate the money for school choice initiatives. Both the House's 2018 spending legislation and the administration's budget request would eliminate a \$2.4 billion teacher training program under Title II-A of the Every Student Succeeds Act (ESSA). The Senate version would continue the program with a budget of \$2.1 billion. The bill will now advance to the full Senate for consideration.

**NCSL Contacts:** [Joan Wodiska](#), [Lucia Bragg](#)

### **Sept. 17 is Constitution Day**

Sept. 17 is Constitution Day and Citizenship Day, which commemorates the signing of the U.S. Constitution on Sept. 17, 1787. On this day, educational institutions receiving federal funds are required to hold an educational program about the U.S. Constitution for their students. The Department of Education offers schools a number of resources for use in developing such programs. For additional information on civic education, visit NCSL's blog archives for highlights on NCSL's Legislators Back to School Program.

**NCSL Contacts:** [Joan Wodiska](#), [Lucia Bragg](#)

### **Senate Appropriations Committee Passes 2018 DOL Spending Legislation**

The Senate Appropriations Committee on Thursday voted 29-to-2 to pass SB 1771, the Labor, Health and Human Services and Education Appropriations Bill. The bill would decrease overall spending for the Department of Labor by \$61.5 million below FY 2017, for a total of \$12 billion.

In part, the bill would:

- Increase funding for Veterans Employment and Training by \$5 million, for a total of \$284 million.
- Decrease funding for federal unemployment benefits and allowances by \$59 million, for a total of \$790 million.
- Decrease funding for Job Corps by \$5 million, for a total of \$1.7 billion.
- Decrease funding for state unemployment insurance and employment service by \$61 million, for a total of \$3.4 billion.

The House Appropriations Committee passed [HR 3358](#), its version of the 2018 budget for the Department of Labor, in July. The Senate version passed the Appropriations Committee without the policy riders found in the House version. SB1771 now awaits consideration by the full Senate.

**NCSL Contacts:** [Jon Jukuri](#), [Lucia Bragg](#)

**DYK?** The architect of the U.S. Supreme Court building, Cass Gilbert, was one of America's first celebrity architects. In addition to designing the [Woolworth Building](#) in New York City, which held the title as world's tallest building for almost two decades, Gilbert also [designed](#) the Minnesota State Capitol, the Arkansas State Capitol and the West Virginia State Capitol.

## House Passes Autonomous Vehicle Bill Expanding Federal Pre-emption

On Sept. 6, the House passed the SELF Drive Act ([H.R. 3388](#)) that aims to make several changes to federal law affecting autonomous vehicles. NCSL, along with a number of state groups including the National Governors Association (NGA), American Association of State Highway and Transportation Officials (AASHTO), American Association of Motor Vehicle Administrators (AAMVA) and the Governors Highway Safety Association (GHSA) issued letters on [July 26](#) and on [Sept. 5](#) as the bill made its way through the House.

The bill includes four main sections: expansion of federal pre-emption, updates to federal motor vehicle safety standards (FMVSS), exemptions from FMVSS and a federal automated vehicles advisory council. Read more in NCSL's [Information Alert](#).

On the other side of Capitol Hill, the Senate is expected to introduce a bill in the near future, although it is likely to include a number of differences from the House bill. Additionally, NHTSA is likely to release an updated version of the [Federal Automated Vehicle Policy](#) later this month.

**NCSL Contacts:** [Ben Husch](#), [Kristen Hildreth](#)

## NCSL Welcomes New Education Federal Affairs Counsel

Joan Wodiska has joined NCSL as a senior federal affairs counsel and will be heading up NCSL's work on education policy in Washington, D.C. Wodiska brings with her more than 20 years of education policy

experience at the federal, state and local levels. She served three terms as a local school board member, held four gubernatorial statewide appointed positions—two Republican and two Democratic—and numerous statewide and local education leadership positions. Most recently, Wodiska completed a four-year term as the vice president and Member of the Virginia State Board of Education and continues to serve as a commissioner with the Education Commission of the States.

Before joining NCSL, Joan was founder and CEO of Pioneer Management Consulting, led federal education and workforce policy at the National Governors Association, and worked at the American Council on Education, U.S. Senate, National School Boards Association and American Counseling Association. Wodiska joins Michelle Exstrom and Lucia Bragg in staffing NCSL's Education Committee. She can be reached at 202-624-3558 or [joan.wodiska@ncsl.org](mailto:joan.wodiska@ncsl.org)

[Read More](#)

*Capitol to Capitol is a publication of the National Conference of State Legislatures. NCSL is recognized as a formidable lobbying force in Washington, D.C. NCSL works to protect states from unfunded federal mandates and unwarranted federal pre-emption of state authority, and seeks to provide state legislatures the flexibility they need to innovate and be responsive to the unique needs of their residents. NCSL's advocacy is guided by the policy directives and resolutions adopted during NCSL's Legislative Summit.*



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Denver: 303-364-7700  
Washington: 202-624-5400

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7700 East First Place, Denver, CO 80230

**From:** Price, Ciara  
**Sent:** Tuesday, September 12, 2017 8:39 AM  
**To:** 'Katelyn Bowling'  
**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

Hi Katelyn,

Is 1:30 pm ok for here in the office on 9/19?

*Ciara Price*

Legislative Aide  
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**From:** Katelyn Bowling [<mailto:Katelyn.Bowling@ohiohospitals.org>]  
**Sent:** Monday, September 11, 2017 1:38 PM  
**To:** Price, Ciara <[Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov)>  
**Subject:** FW: Palliative Care Stakeholder Feedback - Ohio Hospital Association

Hi Ciara,

Thank you for looking into these times. Unfortunately, I cannot make Thursday of this week work, but Tuesday, Sept. 19 would be great. We can do a late lunch, or we can just meet in her office. Just let me know which she prefers. Anytime between 12:30 and 2:30 will work.

My colleague Kate Huffman also will be attending the meeting.

Thank you,

Katelyn

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**From:** [Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov) [<mailto:Ciara.Price@ohiohouse.gov>]  
**Sent:** Monday, September 11, 2017 12:26 PM  
**To:** Katelyn Bowling <[Katelyn.Bowling@ohiohospitals.org](mailto:Katelyn.Bowling@ohiohospitals.org)>  
**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

Hi Katelyn,

Rep. LaTourette has had some time open up this Thursday from 9 am until 10 am. Does that work for a meeting?

If not, here are two other dates:

Tuesday, September 19<sup>th</sup> from 12:30 pm to 2:30 pm

Tuesday, September 26<sup>th</sup> from 12:30 pm until 3 pm

Best,

*Ciara Price*

Legislative Aide

State Representative Sarah LaTourette

House District 76

77 South High Street, 14th Floor | Columbus, Ohio 43215

Office: (614)644-5088 | Cell: (614)395-2158

[Ciara.price@ohiohouse.gov](mailto:Ciara.price@ohiohouse.gov)

---

**From:** Katelyn Bowling [<mailto:Katelyn.Bowling@ohiohospitals.org>]

**Sent:** Monday, September 11, 2017 10:54 AM

**To:** Price, Ciara <[Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov)>

**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

Thank you, Ciara!

---

**From:** [Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov) [<mailto:Ciara.Price@ohiohouse.gov>]

**Sent:** Friday, September 8, 2017 5:00 PM

**To:** Katelyn Bowling <[Katelyn.Bowling@ohiohospitals.org](mailto:Katelyn.Bowling@ohiohospitals.org)>

**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

Thank you, Katelyn for sending this our way!

I'll send you some times next week for when Rep. LaTourette is available to meet.

Best,

*Ciara Price*

Legislative Aide  
State Representative Sarah LaTourette  
House District 76  
77 South High Street, 14th Floor | Columbus, Ohio 43215  
Office: (614)644-5088 | Cell: (614)395-2158  
[Ciara.price@ohiohouse.gov](mailto:Ciara.price@ohiohouse.gov)

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**From:** Katelyn Bowling [<mailto:Katelyn.Bowling@ohiohospitals.org>]  
**Sent:** Friday, September 08, 2017 10:43 AM  
**To:** Rep76 <[Rep76@ohiohouse.gov](mailto:Rep76@ohiohouse.gov)>  
**Cc:** Price, Ciara <[Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov)>  
**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

Hello Representative,

I hope you had a nice Labor Day weekend! We appreciate this additional opportunity to provide feedback on H.B. 286. Thank you for including OHA in these discussions.

I have incorporated our comments into Ciara's original email below. Our comments are in blue font. I also would like to set up a time for us to discuss in person—I will work with Ciara to do so.

If you have any questions in the meantime, please feel free to contact me.

Thank you!

Katelyn

Katelyn Bowling | Manager, Advocacy and Public Affairs  
[Katelyn.Bowling@ohiohospitals.org](mailto:Katelyn.Bowling@ohiohospitals.org)



155 E. Broad St., Suite 301  
Columbus, OH 43215-3640  
O +614-221-7614 | C +937-789-9768 | [www.ohiohospitals.org](http://www.ohiohospitals.org)

Mission: OHA exists to collaborate with member hospitals and health systems to ensure a healthy Ohio.

Connect with OHA:



---

**From:** [Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov) [mailto:[Ciara.Price@ohiohouse.gov](mailto:Ciara.Price@ohiohouse.gov)]

**Sent:** Friday, September 1, 2017 11:40 AM

**To:** [Rep76@ohiohouse.gov](mailto:Rep76@ohiohouse.gov)

**Subject:** Palliative Care Stakeholder Feedback

Hello All –

Representative LaTourette appreciates all of the written feedback she has received on House Bill 286. Below, you will find the recommended additions to the council's make-up, the items she would like to incorporate in the substitute bill, and the items she is uncertain about including. If you have any feedback on any of these items, please submit to our office by the close of business on **Friday, September 8<sup>th</sup>**.

Suggested additions to the Council's make-up are as follows: a board certified pediatrician, a child life specialist, a marriage and family therapist, representation from the health insurance sector, a psychiatrist and a psychologist. If each mandated membership spot on the council is filled; that brings the minimum total to 16 members. **Would a maximum number of members of the Council be beneficial to add to the bill?**

Because hospitals are listed among the health care facilities to which this bill applies, we believe it is imperative to have **at least two hospital representatives on the council, specifically one member from a small and rural hospital and one from an urban hospital or health system.**

- We request you add language to specify that the director of health, with the advice and consent of the Ohio Hospital Association, shall appoint at least two hospital representatives to the council:
  1. An administrator or clinician from a small and rural hospital; AND
  2. An administrator or clinician from an urban hospital or health system.
    - *Note: These individuals could be among the physicians, PA's or APNs currently listed in the bill but their primary employer should be a hospital.*

Items for inclusion:



- Require the Palliative Care and Quality of Life Interdisciplinary Council to submit an annual report of recommendations to the General Assembly, Governor and Cabinet members.
  - OHA agrees that requiring the Council to submit an annual report of recommendations to the General Assembly, Governor and Cabinet members is an important preliminary step in determining the most appropriate and effective steps for expanding palliative care in the state. We suggest limiting the legislation to create the council and the consumer/professional information and education program and using the Council's findings to help chart the best course forward.
- Adjust the definition of palliative care to: "specialized medical care for people living with serious illness. It focuses on providing relief from the symptoms, stress, and suffering of a serious illness. The goal is to improve quality of life for both the patient and the family by addressing an individual's physical, emotional, social, and spiritual needs. Palliative Care facilitates patient's autonomy, access to information, and medical decision guidance. Palliative care is provided by a team of doctors, nurses, social workers and/or others who work in conjunction with a patient's other healthcare providers. It is appropriate at any age and at any stage in a serious illness and can be provided along with curative treatment."
  - While we support the use of the nationally-recognized definition of palliative care for clarity and consistency in discussions and among stakeholders, it is important to note this definition explicitly states palliative care is provided by a team of doctors, nurses and social workers and/or others who work in conjunction with a patient's other health care providers.
  - As we have stated previously, palliative care is a new paradigm and medical specialty for which specialized training and certification has only recently been formalized. Some hospitals do not have the resources or specially-trained personnel to sustain such models and we feel that requiring health care facilities to direct more patients to palliative care without addressing the critical shortage of certified and specialized palliative care practitioners is a serious concern. Referring patients to palliative care without having a facility or program set up for patients to receive such care would negatively affect patient outcomes and satisfaction.
- Include expertise in "home-based palliative care," on the council.
- Include language to allow the Ohio Department of Health, at the direction of the Council to look for external funding sources to be used toward the council's educational programming.

- Remove "with a serious illness" from line 126 and replace with "who could benefit from palliative care."

Items for possible inclusion:

- In lines 48-50, change the board-certification language for physicians to be members of the Council to "at least two members shall be physicians who are board-certified in hospice ~~or~~ and palliative care."
- Add line to the bill that states: "nothing in this chapter shall be interpreted to mean that palliative care can be provided only as a component of a hospice care program or pediatric respite care program."
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- Include language which would encourage the appointing authorities of the board to seek diverse representation on the board by the following language: "In appointing members to the board, the appointing authorities shall attempt to include members representing urban and rural areas, various geographical areas of the state, and various schools of training. The appointing authorities shall coordinate appointments so that no two members are employed by or practice at the same facility or emergency medical service organization."
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Thank you!

*Ciara Price*

Legislative Aide

State Representative Sarah LaTourette

House District 76

77 South High Street, 14th Floor | Columbus, Ohio 43215

Office: (614)644-5088 | Cell: (614)395-2158

[Ciara.price@ohiohouse.gov](mailto:Ciara.price@ohiohouse.gov)

**From:** Katelyn Bowling  
**Sent:** Tuesday, September 12, 2017 8:56 AM  
**To:** Price, Ciara  
**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

Yes, that is great. Thank you, Ciara!

**From:** Ciara.Price@ohiohouse.gov [mailto:Ciara.Price@ohiohouse.gov]  
**Sent:** Tuesday, September 12, 2017 8:39 AM  
**To:** Katelyn Bowling  
**Subject:** RE: Palliative Care Stakeholder Feedback - Ohio Hospital Association

Hi Katelyn,

Is 1:30 pm ok for here in the office on 9/19?

Ciara Price  
Legislative Aide  
State Representative Sarah LaTourette  
House District 76  
77 South High Street, 14th Floor | Columbus, Ohio 43215  
Office: (614)644-5088 | Cell: (614)395-2158  
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Thank you,

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**Sent:** Friday, September 8, 2017 5:00 PM  
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**Katelyn Bowling | Manager, Advocacy and Public Affairs**  
[Katelyn.Bowling@ohiohospitals.org](mailto:Katelyn.Bowling@ohiohospitals.org)



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Mission: OHA exists to collaborate with member hospitals and health systems to ensure a healthy Ohio.

Connect with OHA:



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**Sent:** Friday, September 1, 2017 11:40 AM

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[Ciara.price@ohiohouse.gov](mailto:Ciara.price@ohiohouse.gov)

**From:** Foster, John  
**Sent:** Tuesday, September 12, 2017 4:47 PM  
**To:** House\_All  
**CC:** LSC; Wendy Estes; Dawn Palmer  
**Subject:** House Calendar for Wednesday, September 13, 2017  
**Attachments:** house\_calendar\_09132017\_01.pdf

**132ND GENERAL ASSEMBLY  
OF THE  
STATE OF OHIO**

**HOUSE CALENDAR**

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WEDNESDAY - SEPTEMBER 13, 2017 -  
1:30 PM

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**Bills for Third Consideration**

**H. B. No. 133 – Representative Ryan**

**Cosponsors: Representatives Hambley, Hill, Carfagna, Goodman, Seitz, Schaffer, Lipps, Arndt, Green, Ginter, Slaby, Cupp, Dean, Reineke, Miller**

To amend sections 111.16, 718.01, 718.05, 1329.01, 4123.01, 4141.42, 5741.02, 5747.01, and 5751.01 and to enact sections 1701.041, 4799.04, and 5703.94 of the Revised Code to create the Disaster Relief Act to exempt out-of-state disaster businesses and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster.

(Committee on Public Utilities recommends passage, see House Journal, June 21, 2017, p. 568.)

**Am. S. B. No. 37 – Senator Hite**

**Cosponsors: Senators Uecker, Thomas, Sykes, Yuko, Williams, Brown, Wilson, Hackett, Bacon, Balderson, Coley, Dolan, Gardner, Hoagland, Huffman, Kunze, LaRose, Manning, O'Brien, Oelslager, Peterson, Schiavoni, Tavares, Terhar Representatives Hambley, Perales**

To enact section 109.804 of the Revised Code to require the Ohio Peace Officer Training Commission to develop and conduct a chief of police training course for certain newly appointed chiefs of police.

(House committee on State and Local Government recommends amended bill for passage, see House Journal, June 21, 2017, p. 566.)

(Senate recommends passage, see Senate Journal, March 22, 2017, p. 256.)

(Senate committee on Local Government, Public Safety and Veterans Affairs recommends passage, see Senate Journal, March 7, 2017, p. 195.)

#### **H. B. No. 122 – Representatives Hambley, Rogers**

**Cosponsors: Representatives West, Smith, K., Sheehy**

To establish a Regional Economic Development Alliance Study Committee to study the benefits and challenges involved in creating regional economic development alliances.

(Committee on State and Local Government recommends passage, see House Journal, May 10, 2017, p. 451.)

---

**(Bills or resolutions below the black line have been recommended for passage or adoption by designated committees)**

#### **Sub. H. B. No. 2 – Representative Seitz**

To amend sections 2315.18, 2315.21, 4112.01, 4112.02, 4112.04, 4112.05, 4112.08, 4112.14, and 4112.99; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 4112.051 (4112.055) and 4112.052 (4112.056); and to enact new sections 4112.051 and 4112.052 and section 4112.054 of the Revised Code to modify Ohio civil rights laws related to employment.

(Committee on Economic Development, Commerce, and Labor recommends substitute bill for passage, see House Journal, May 10, 2017, p. 449.)

#### **H. B. No. 24 – Representative Ginter**

**Cosponsors: Representatives Schaffer, Rogers, Cera, Green, Hambley, Retherford, Ryan**

To amend section 5709.17 of the Revised Code to modify the existing tax exemption for veterans organizations' property to include property of certain veterans organizations exempt from federal taxation under section 501(c)(4) of the Internal Revenue Code and to exclude property that is not used primarily for meetings, administration, and the provision of programs and services to past and present members of the United States armed forces.